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Regulations

TITLE 7—AGRICULTURE

Chapter X—War Food Administration

[FPO 3 as Amended May 6, 1943, Amtd. 1]

PART 1202—FARM MACHINERY AND EQUIPMENT

NEW FARM MACHINERY AND EQUIPMENT

Part A of Schedule I of Food Production Order No. 3 (8 F.R. 5963), is amended by deleting from subparagraph (2) thereof and by adding to subparagraph (1) thereof the following:

IRRIGATION EQUIPMENT

War Production Board No.

232 Portable pipe and extensions, sprinklers.

Subparagraphs (1) and (2) of Part A of Schedule I of Food Production Order No. 3 will then read as follows:

(1) The Administrator has authorized and does hereby authorize any manufacturer to transfer the Schedule I equipment listed in this subparagraph (1) which was manufactured by such manufacturer prior to the effective date of, or in compliance with, the provisions of War Production Board Order L-26 (7 F.R. 1795, 2940, 4331, 5396, 6148, 8460) and 100 percent of such manufacturer's authorized production of such equipment under War Production Board Order L-170.

IRRIGATION EQUIPMENT

War Production Board No.

Irrigation pumps:

227 Turbine pumps, 0 to 1,200 GPM.
228 Turbine pumps, 1,200 GPM and up, belt driven.
229 Centrifugal pumps.
230 Hydraulic rams.

Distribution equipment:

231 Land leveling equipment, ditchers, corrugators and scrapers (excluding power ditchers, draglines and other self-powered machines).
232 Portable pipe and extensions, sprinklers.

SPRAYERS, DUSTERS, AND ORCHARD HEATERS

War Production Board No.

119 Spray pumps, power.

CULTIVATORS AND WEEDERS

103 Rod weeders, horse or tractor drawn.

FARM ELEVATORS AND BLOWERS

188 Elevators (portable).
189 Elevators (stationary).
190 Blowers (grain and forage).

MACHINES FOR PREPARING CROPS FOR MARKET OR USE

171 Stationary hay balers, horse.

(2) The Administrator has authorized and does hereby authorize any manufacturer to transfer Schedule I equipment listed in this subparagraph (2) which was produced by such manufacturer prior to the effective date of, or in compliance with, the provisions of War Production Board Order L-26 and 90 percent of such manufacturer's authorized production of such equipment under War Production Board Order L-170.

DOMESTIC WATER SYSTEMS

War Production Board No.

Deep well:
213 Deep well, reciprocal.
214 Deep well, jet pumps.
Shallow well:
215 250-499 gals. per hour.
216 500 gals. per hour and over.
Power pumps:
217 Horizontal type, up to and including 75 gals. per minute, 100 lb. pressure.

DAIRY FARM MACHINES AND EQUIPMENT

237 Milking machines.
238 Farm cream separators, capacity 250 lbs. per hour or less.
239 Farm cream separators, capacity 251 lbs. up to and including 500 lbs. per hour.
Farm milk coolers:
241 Immersion type.
242 Surface or tubular type.

Issued this 5th day of June 1943.

M. LEE MARSHALL,
Deputy Administrator.

[F. R. Doc. 43-9312; Filed, June 8, 1943; 11:51 a. m.]

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Chapter XI—War Food Administration

[FDO 55]

PART 1405—FRUITS AND VEGETABLES

CALIFORNIA PLUMS

The fulfillment of requirements for the defense of the United States will result in a shortage in the supply of plums, produced in the State of California, for defense and private account; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1405.7 *Restrictions relative to the shipment of plums—(a) Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) The term "plums" means any and all strains of any and all varieties of plums grown in the state of California.

(2) The term "person" means any individual, partnership, corporation, association, or other business entity.

(3) The term "ship" means to convey in, or handle for shipment in, or cause to be conveyed or handled for shipment in, or in any other way to put plums in the channels of trade by conveying, or causing plums to be conveyed, by railroad, truck, boat, or any other means whatsoever (except as a common carrier of plums owned by another person), in the current of interstate or foreign

commerce, or so as directly to burden, obstruct, or affect such commerce.

(4) The term "U. S. Standards for Plums and Prunes" means the U. S. Standards for Plums and Prunes (Fresh) issued by the United States Department of Agriculture, effective June 3, 1937.

(5) The term "Director" means the Director of Food Distribution, War Food Administration, or any employee of the United States Department of Agriculture designated by such director.

(b) *Restrictions.* (1) No person may, after the effective date of this order, ship any container or package containing plums in fresh form which do not meet the requirements of U. S. No. 2 Grade, as specified in the U. S. Standards for Plums and Prunes: *Provided*, That not more than a total of 10 percent of the plums in any package or container may fail to meet the requirements of the U. S. No. 2 Grade, as specified in the U. S. Standards for Plums and Prunes, but not more than one half of this amount of five percent of the plums in any package or container may be seriously damaged by worms, sunscald, or heat, and of said five percent not more than one percent of the plums in any package or container may show decay.

(2) Each person shall, prior to making each shipment of plums, have the plums included in each such shipment inspected by a duly authorized representative of the Federal-State inspection service; and each such shipper shall submit promptly or cause to be submitted promptly to the Branch Office, War Food Administration, 331 Federal Building, P. O. Box 230, Sacramento, California, the Federal-State shipping point inspection certificate, with respect to each shipment of plums by such person, stating (i) the grade of the plums, contained in such lot or shipment, or (ii) that the plums, in such lot or shipment, meet the requirements set forth in this order. (This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.)

(c) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises or stocks of plums of any person, and to make such investigations, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(d) *Records and reports.* The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order, subject to the approval of the Bureau of the Budget, pursuant to the Federal Reports Act of 1942.

(e) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply in writing for relief to the Director, setting forth in such petition all pertinent facts and the nature of the relief sought. The Director may thereupon take such action

as he deems appropriate, which action shall be final.

(f) *Violations.* The War Food Administrator may, by suspension order, prohibit any person who violates any provision of this order from receiving, making any deliveries of, or using plums, or any other material subject to priority or allocation control by the War Food Administrator, and may recommend that any such person be prohibited from receiving, making any deliveries of, or using materials subject to the priority or allocation control of other governmental agencies. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(g) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director.

(h) *Communications.* All reports, except pursuant to (b) (2) hereof, required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the War Food Administrator, be addressed to the Director of Food Distribution, United States Department of Agriculture, Washington, D. C. Ref. FD-55.

(i) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., June 9, 1943.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued this 7th day of June 1943.

JESSE W. TAPP,

Acting War Food Administrator.

[F. R. Doc. 43-9313; Filed, June 8, 1943; 11:51 a. m.]

[FDO 30, Amdt. 1]

PART 1406—DEHYDRATED FRUIT,
VEGETABLES, AND SOUPS

CONSERVATION AND DISTRIBUTION OF
DEHYDRATED VEGETABLES

Food Distribution Order No. 30 (8 F.R. 3385), § 1406.1, issued under authority of the Secretary of Agriculture on March 19, 1943, is amended by deleting the provisions of § 1406.1 thereof and inserting, in lieu thereof, the following:

§ 1406.1 *Dehydrated vegetables.*—(a) *Definitions.* When used in the order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "dehydrated vegetables" means Irish potatoes, sweet potatoes, cabbage, carrots, beets, onions, and rutabagas (and such other vegetables as the Director may from time to time designate) that have been dried by artificially produced heat under controlled conditions of humidity, temperature, and air flow or that have been dried under reduced pressure ("vacuum") where the factors of humidity and air flow are not controlled.

(2) The term "processor" means any person who (i) produces dehydrated

vegetables for sale as such, or (ii) produces dehydrated vegetables for sale as a part of any food product.

(3) The term "government agency" or "government agencies" means (i) the Army, Navy, Marine Corps, or Coast Guard of the United States (post exchanges, service men's clubs, ship service stores, sales commissaries, and similar organizations shall not be deemed part of the Army, Navy, Marine Corps, or Coast Guard of the United States), including any person who is feeding, pursuant to a written contract with an agency of the United States, personnel of the Army, Navy, Marine Corps, or Coast Guard of the United States, fed under the command of a commissioned or non-commissioned officer or other authorized representative of the said Army, Navy, Marine Corps, or Coast Guard, and who is specifically authorized by the said Army, Navy, Marine Corps, or Coast Guard to purchase dehydrated vegetables, set aside by this order, to the extent necessary to feed such personnel of the Army, Navy, Marine Corps, or Coast Guard; (ii) the Food Distribution Administration (including but not restricted to the Federal Surplus Commodities Corporation); (iii) the War Shipping Administration; (iv) the Veterans' Administration; and (v) any other instrumentality or agency designated by the War Food Administrator.

(4) The term "Director" means the Director of Food Distribution, War Food Administration, or any employee of the United States Department of Agriculture designated by such Director.

(5) The term "person" means any individual, partnership, corporation, association, or other business entity.

(b) *Restrictions on processors.* Without regard to existing contracts, every processor shall set aside for sale and delivery to government agencies (i) 100 percent of all dehydrated vegetables owned, controlled, or in his possession on the effective date hereof; (ii) 100 percent of all dehydrated Irish potatoes, cabbage, beets, onions, and rutabagas processed subsequent to the effective date hereof; and (iii) no percent of all dehydrated carrots and sweet potatoes processed subsequent to the effective date hereof. The Director shall have the right to change the above percentages at any time, and to fix percentages and change them from time to time on such other dehydrated vegetables as he may designate, pursuant to the authority contained in paragraph (a) (1). All dehydrated vegetables produced on or subsequent to the effective date hereof which are to be set aside for sale and delivery to government agencies shall, when the Director so determines, be processed, packaged, labeled, and cased in accordance with such directions as he may issue. Quantities of dehydrated vegetables set aside may be released at any time by notice to that effect from the Director.

(c) *Exceptions.* (1) The restrictions of paragraph (b) hereof shall not apply to contracts now existing or hereafter made between processors and government agencies. In the event of any conflict between the specifications of a contract entered into between a processor and a government agency and directions

issued under paragraph (b) hereof, the contract specifications shall prevail for the quantities of dehydrated vegetables specified in the contract.

(2) The restrictions of paragraph (b) hereof shall not apply to the sale or delivery of dehydrated vegetables to any person who supplies oceangoing vessels or to such oceangoing vessels direct: *Provided*, That processors (i) obtain from such purchasers an authorization to release signed by the Director for the quantity to be released, endorse such authorization, and forward it to the Director; and (ii) secure from such purchasers receipts showing that delivery has been made to oceangoing vessels for the entire quantity so released and deliver them to the Director.

(3) The restrictions of paragraph (b) hereof shall not apply to those quantities of dehydrated vegetables which properly fall within the two following categories: (i) Sample lots, if the processor secures a receipt for each such lot and immediately forwards each such receipt to the Director, distributed in quantities not to exceed 25 pounds of any dehydrated vegetable to any one user, over a three-month period, for research or experimental purposes; and (ii) Quantities of dehydrated vegetables needed as essential ingredients by manufacturers of dehydrated soups under contracts that may hereafter be made with a government agency: *Provided*, That processors first receive a certificate duly executed on Form FDO 30-3 by the purchasing officer of the contracting government agency specifying the total quantity of the restricted dehydrated vegetable needed by the manufacturer in the performance of his contract and that the processor immediately endorse and deliver said certificate to the Director.

(4) The Director may allot quotas and issue certificates of quotas, for the year beginning July 1, 1943, and ending June 30, 1944, to industrial or commercial users of dehydrated vegetables, and processors may, on or subsequent to July 1, 1943, sell and deliver to each such user a part or the whole of the quota of dehydrated vegetables allotted to said user: *Provided*, That processors (i) obtain from each such user purchasing dehydrated vegetables the certificate of quota issued by the Director, and (ii) immediately endorse each such certificate and deliver it to the Director.

(5) All quantities of dehydrated vegetables released by processors under the authority contained in paragraphs (c) (2), (c) (3), and (c) (4) above, shall be reported in detail to the Director at the end of each calendar month on Form FDO 30-1 and such supplements thereto as the Director may prescribe.

(d) *Records and reports.* The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order. The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent specific record-keeping or reporting requirements by the Director will

be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(e) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records, and other writings, premises or stocks of dehydrated vegetables of any person, and to make such investigations, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(f) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply in writing for relief to the Director, setting forth in such petition all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, which action shall be final.

(g) *Territorial scope.* This order applies to all processors in the United States, its territories and possessions, and the District of Columbia.

(h) *Violations.* The War Food Administrator may, by suspension order, prohibit any person who violates any provision of this order from receiving, making any deliveries of, or using dehydrated vegetables, or any other material subject to priority or allocation control by the War Food Administrator and may recommend that any such person be prohibited from receiving, making any deliveries of, or using materials subject to the priority or allocation control of other government agencies. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(i) *Communication.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the War Food Administrator, be addressed to the Director of Food Distribution, United States Department of Agriculture, Washington, D. C., Ref. FD-30.

(j) *Previous requirements continued in effect.* With respect to violations of said Food Distribution Order No. 30, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 30 shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right or liability.

(k) *Effective date.* This order shall become effective at 12:01 a. m., EWT, June 1, 1943.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; F.D.O. No. 30, 8 F.R. 3385)

Issued this 7th day of June 1943.

JESSE W. TAPP,

Acting War Food Administrator.

[F. R. Doc. 43-9814; Filed, June 8, 1943; 11:51 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter II—Office of Alien Property Custodian

[General Order 26]

PART 503—GENERAL ORDERS

REGULATIONS GOVERNING THE SALE OF PROPERTY VESTED BY THE ALIEN PROPERTY CUSTODIAN

Under authority of the Trading with the Enemy Act, as amended, and applicable orders issued thereunder, including but not limited to Executive Order No. 9142, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian, determining.

That in the course of the operation of the Office of Alien Property Custodian many types of property have been vested; and

That the public interest requires that such property be liquidated and sold in manners best suited to the type of property involved and at prices consistent with present price structures and furtherance of the war effort; and

That public sales with written bids publicly opened at a designated place are in general best calculated to protect both the interests of the United States and the purchasers; and that such sales have the advantage of providing complete records of the proceedings; and that in the case of such sales by written bids the place of sale may most advantageously be determined by considerations of administrative convenience without injury to the interest of the United States or of the bidders or other interested persons; and that it is therefore not necessary in the public interest that such bids be opened at the place where the property or a major portion thereof is situated; and

That properties in lots of small value cannot usually be sold to best advantage at public sale, but are most efficiently disposed of at time and place of the most favorable demand and upon such terms and conditions as may be necessary to secure the best market price; and that in such cases by such informal procedure unnecessary expense, delay and inconvenience may be avoided; and

That real estate may be disposed of at the most favorable prices through the medium of recognized brokers; and

That many properties will be sold at the request of other departments and agencies of the United States under regulations fully protecting the United States; and

That perishable or expendable commodities must be quickly sold in order to preserve the value of the property; and

That many goods are best disposed of in government-regulated securities and commodity markets where the rules and regular quotation of prices on the exchange offer more complete protection to the interest of the United States than would a public sale; and

That the public interest and the furtherance of the war effort so require;

for the above-stated reasons in the public interest, hereby issues the following sales regulations:

§ 503.26 *General Order No. 26—(a) General sales.* Unless otherwise determined by the Alien Property Custodian, all sales by the Custodian other than those treated in sections (b) and (c), which follow, shall be public sales, conducted under the procedure hereinafter set forth.

(1) *Advertising.* Each sale shall be advertised in a newspaper of general circulation in the place where the property or a major portion thereof is located,

and in such trade and other publications, if any, as the Chief of the Division conducting the sale may deem appropriate. The initial advertisement shall appear at least fifteen days before the date set for opening bids or at such other time as in the opinion of the Chief of the Division affords to interested parties an adequate opportunity for bidding.

(2) *Information.* The Chief of the Division involved may designate one or more of the employees of the Office of Alien Property Custodian to be present at the places and times specified in the advertisement to furnish such available information as may be requested with respect to the property to be sold. Confidential information or matter which might be of benefit to competitors, or information with respect to formulae, processes, or trade secrets, will be furnished in appropriate cases only upon direct approval of the Custodian.

(3) *Inspection.* Appropriate opportunity for inspection of the property to be sold will be afforded.

(4) *Bids.* Bids shall be submitted to the Alien Property Custodian at the appropriate office designated in the advertisement of sale. All bids shall be in writing and sealed in plain envelopes suitably marked to identify the sale in connection with which they are submitted and, until the award is made or the bids are rejected, shall constitute irrevocable offers to purchase the property. Bids will be opened in public at the hour and place, and by the persons, appointed by the Chief of the Division involved, in the presence of such bidders as may desire to attend. The absence of bidders at the time and place of the opening shall not prevent the making of the award.

(5) *Award.* Within thirty days after the opening of bids or such lesser period as may be set forth in the terms and conditions of sale, the Custodian will make the award to the highest qualified bidder or reject the bids, stating the reasons therefor.

(6) *Notification.* The successful bidder will be notified in writing of the award.

(7) *Execution of documents.* All papers and documents issued in consummating such sales may be executed and delivered on behalf of the Custodian by his duly authorized representative.

(8) *Return of checks.* Where earnest money checks are required to accompany the bid, the checks shall be returned to the unsuccessful bidders together with notice of the rejection of their bids.

(9) *Methods of payment.* Unless otherwise determined by the Custodian, the sales price or any part thereof shall be paid by certified, cashier's or banker's check. Each such instrument shall be made payable to the "Alien Property Custodian", and shall be delivered to a duly authorized representative of the Custodian.

(b) *The sale of property of a value determined to be not in excess of \$10,000.*—(1) *Methods of sale.* The Chief of the Division having jurisdiction thereof may, after authorization by the Alien Property Custodian, sell at public or private sale, with or without public or other advertisement, any right, title, interest or estate the Custodian has vested

in chattels, land, securities, contracts, claims, choses-in-action, or any other property whether tangible or intangible, in items, lots, or quantities having a value, determined as hereinafter provided, not exceeding \$10,000 for each item, lot or quantity to be sold.

(2) *Determination of value.* The Custodian will determine whether the value of any item, lot or quantity of property is not in excess of \$10,000. If the Custodian determines the value of any item, lot, or quantity of property to be an amount not exceeding \$10,000, the sale shall be made by the Chief of the Division on such terms and in such manner as the Custodian shall direct.

(3) *Execution of documents.* All papers and documents issued in consummating such sales may be executed and delivered on behalf of the Custodian by his duly authorized representative.

(4) *Methods of payment.* Unless otherwise determined by the Custodian, the sales price or any part thereof shall be paid by certified, cashier's or banker's check. Each such instrument shall be made payable to the "Alien Property Custodian", and shall be delivered to a duly authorized representative of the Custodian.

(c) *Special sales.*—(1) *Types of special sales.* Sales of the following types involving property of any value whatsoever are hereby designated as "Special Sales":

(i) Sales pursuant to regulations, requests or instructions of any Department or Agency of the United States;

(ii) Sales to the United States or any Agency thereof;

(iii) Sales of property which is perishable, or the preservation, storage or retention of which entails undue expense or loss;

(iv) Sales of any rights which lapse unless exercised within a limited time, including, but not limited to, rights appurtenant to the ownership of securities;

(v) Sales of securities or any commodities which are made upon public exchanges under government regulation.

(vi) Sales of real estate.

(2) *Methods of special sales.* Such sales shall be made in compliance with the applicable provisions of this order governing sales of property of a value determined by the Custodian to be not in excess of \$10,000, and such other terms and conditions as the Custodian shall determine in each case.

(d) *Miscellaneous.* (1) Unless the Custodian shall otherwise direct, no person or business organization shall be qualified to bid for or purchase property if he or it is on the Proclaimed List of Certain Blocked Nationals or is not an American citizen or is not a business enterprise controlled by American citizens and organized under the laws of the United States, or any State or Territory thereof.

(2) Sales by corporations, all or part of the shares of which have been vested by the Custodian, or sales in the normal course of operation (not liquidation) of unincorporated business enterprises, the assets of or interests in which have been vested, in whole or in part, by the Custodian, shall not be subject to this order.

(3) Sales shall be made in conformity with the applicable regulations of the Office of Price Administration, War Production Board, or other Department or Agency of the United States.

(4) No representative of the Custodian is authorized to make any warranty or guaranty, expressed or implied, respecting or in any way concerning any property or enterprise being sold.

(5) The Custodian reserves the right to waive, change, amend or modify any or all of these regulations and the terms and conditions of sale at any time; the Custodian also reserves the right to withdraw any property from sale at any time or to reject any or all bids.

(40 Stat. 411, 50 U.S.C. App.; 55 Stat. 839, 50 U.S.C. App. (Supp. 1941); E.O. 9142, 7 F.R. 2985, E.O. 9193, 7 F.R. 5205)

Executed at Washington, D. C., this 29th day of May, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-9287; Filed, June 8, 1943;
11:08 a. m.]

TITLE 9—ANIMAL AND ANIMAL PRODUCTS

Chapter II—War Food Administration

PART 202—RULES OF PRACTICE GOVERNING PROCEEDINGS UNDER THE PACKERS AND STOCKYARDS ACT

Pursuant to the authority vested in me as War Food Administrator, the rules of practice governing proceedings under the Packers and Stockyards Act (Part 202, Chapter II, Title 9, Code of Federal Regulations; 6 F.R. 6136; 7 F.R. 2963) are amended by:

(1) Striking from line nine of § 202.3 (a) the word "shall" and inserting in its place the word "may";

(2) Striking the period after the word "determination" on line sixteen of § 202.39 (a), inserting in lieu thereof a semicolon, and adding thereafter the following: "Provided, That if the complaint originally filed contains the statements and information required by § 202.3 (a) (2) and (3), it may be served upon the respondent as the formal complaint in the proceeding and no further complaint need be filed."

(3) Striking the first sentence of § 202.40 and inserting in its place the following: "At the same time that it serves upon the respondent a copy of the formal complaint, the Division may file with the hearing clerk and may serve upon each of the parties a report of its investigation of the informal complaint. Such report of investigation shall contain only such information as to the Division seems relevant and material to the proceeding."

(7 U.S.C. 1940 ed. 181 et seq.; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued this 7th day of June 1943.

JESSE W. TAPP,
Acting War Food Administrator.

[F. R. Doc. 43-9316; Filed, June 8, 1943;
11:52 a. m.]

TITLE 29—LABOR

Subtitle A—Office of the Secretary of Labor

PART 4—DETERMINATIONS RELATING TO OVERTIME, SUNDAY, AND HOLIDAY PAY
FISH PROCESSING INDUSTRY IN DESIGNATED STATES AND ALASKA

Determination under Executive Order 9248 as to the fish processing industry in the states of Washington, Oregon, and California, and in the Territory of Alaska.

Upon application of interested parties for an exemption of the fish processing industry in the States of Washington, Oregon, and California, and in the Territory of Alaska from the provisions of Executive Order 9240 (7 F.R. 7159), and after an investigation of the relevant factors bearing upon this application, I find that the nature and exigencies of operations in this industry make it necessary and advisable for the successful prosecution of the war to determine that the provisions of Executive Order 9240 shall not apply to the West Coast and Alaska fish processing industry as defined herein.

Now, therefore, by virtue of the power vested in me by Executive Order 9248 (7 F.R. 7419), it is ordered that the provisions of Executive Order 9240, entitled "Regulations Relating to Overtime Wage Compensation," shall not apply to employees engaged in the processing of fish, including the canning and reduction thereof, and operations incidental thereto, in the States of Washington, Oregon, and California, and in the Territory of Alaska.

Dated: June 7, 1943.

FRANCES PERKINS,
Secretary of Labor

[F. R. Doc. 43-9268; Filed, June 8, 1943; 11:03 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-2009]

PART 330—MINIMUM PRICE SCHEDULE, DISTRICT NO. 10

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 10 for the establishment of price classifications and minimum prices for Mine Index No. 45.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of Eureka No. 2 Mine, Mine Index No. 45, of Florida Coal Company in District No. 10; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 330.4 (Price groups) is amended by adding thereto Supplement R-1, and § 330.10 (Special prices—(a) (2) Prices for railroad locomotive fuel) is amended by adding thereto Supplement R-II, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications

to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: May 29, 1943.

[SEAL]

DAN H. WHEELER,
Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 10

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 330, Minimum Price Schedule for District No. 10 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK
§ 330.4 Price groups—Supplement R-I

Price group No.	Producer	Mine	Mine index No.	Freight origin group	Shipping point	Railroad
19	Florida Coal Company.....	Eureka No. 2.....	45	21	Marissa.....	IC.

¹ Price Group No. 20 is no longer applicable.
² Mine Index No. 45 shall be included in Price Group 19 and shall take the same f.o.b. mine prices as other mines in Price Group 19. Schedule No. 1, District No. 10, For All Shipments Except Truck, on all size groups and for shipment to all Market Areas and for all uses exclusive of Railroad Locomotive Fuel: *Provided, however*, That these f.o.b. mine prices apply on board transportation facilities at Marissa, Illinois. Coal produced at Eureka Mine No. 2, Mine Index No. 45 may be transported at the expense of the producer thereof to the loading facilities of the Florida Mine, Mine Index No. 48 for washing and processing and loaded for shipment on a mill-in-transit rate: *Provided, however*, That the coals produced from the Eureka No. 2 mine and the Florida Mine shall not be commingled.

§ 330.10 Special prices—(a) (2) Prices for railroad locomotive fuel—Supplement R-II

Price group No.	Producer	Mine	Mine index No.	Freight origin group	Shipping point	Railroad
19	Florida Coal Company.....	Eureka No. 2.....	45	21	Marissa.....	IC.

¹ Price Group No. 20 is no longer applicable.
² The Railroad Locomotive Fuel Price shall be: 6" x 14" Egg \$1.75, Mine Run \$1.70, Screenings \$1.40 f. o. b. cars Marissa, Illinois and railroad locomotive fuel price exceptions 1-D, 2-C, 3-B, 4 and 61 shall apply. Coal produced at Eureka Mine No. 2, Mine Index No. 45 may be transported at the expense of the producer thereof to the loading facilities of the Florida Mine, Mine Index No. 48 for washing and processing and loaded for shipment on a mill-in-transit rate: *Provided, however*, That the coals produced from the Eureka No. 2 mine and the Florida Mine shall not be commingled.

[F. R. Doc. 43-9182; Filed, June 7, 1943; 10:56 a. m.]

[Docket No. A-1669]

PART 330—MINIMUM PRICE SCHEDULE, DISTRICT NO. 10

ORDER ESTABLISHING PRICE EXCEPTION

Order of the Director in the matter of the petition of Centralia Coal Company, a code member in District No. 10 for a reduction of the effective minimum price for shipments of railroad locomotive fuel from its Centralia No. 5 mine.

Upon the basis of the findings of fact and conclusions of law set forth in the opinion of the Director, filed simultaneously herewith, wherein it appears that it is appropriate to amend the schedule of effective minimum prices for District No. 10 for all shipments except truck to provide a freight rate absorption, not to exceed 40 cents per ton, on coal produced by the Centralia #5 Mine (Mine Index No. 29) of the Centralia Coal Company, a code member in District 10, on shipments of coal to the Wabash Railway for railroad locomotive fuel use, and pursuant to section 4 II (d) and other provisions of the Bituminous Coal Act of 1937;

It is hereby ordered, That, effective fifteen (15) days after the date hereof, § 330.8 (Price instructions and exceptions—(b) Price exceptions) in the schedule of effective minimum prices for District No. 10 for all shipments except truck is amended by establishing a price exception to the railroad locomotive fuel prices therein as follows:

Centralia Coal Company may absorb the actual division of the freight rate, not to exceed 40 cents per net ton, on railroad locomotive coal of the Centralia #5 Mine (Mine Index No. 29) for the Wabash Railway.

Dated: June 5, 1943.

[SEAL]

DAN H. WHEELER,
Director.

[F. R. Doc. 43-9259; Filed, June 8, 1943; 10:53 a. m.]

Chapter VI—Solid Fuels Administration for War

DISTRIBUTION OF COAL SUPPLY
SUSPENSION OF PREVIOUS ORDERS

Pursuant to the provisions contained in §§ 3247.1 (e) and 3256.1 (e) of War

Production Board Orders Nos. M-316 and M-318, respectively, in order to assure the most efficient distribution and supply of coal in the interest of the war and essential civilian production, I hereby direct and order that the provisions of the aforementioned orders as amended and reinstated by my order of June 1, 1943 (8 F.R. 7412), are suspended, effective immediately, until further order.

Issued this 4th day of June 1943.

HAROLD L. ICKES,
Solid Fuels Administrator for War.

[F. R. Doc. 43-9229; Filed, June 8, 1943;
9:16 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter II—Fiscal Service

Subchapter A—Bureau of Accounts
[1943 Dept. Cir. 570, 1st Supp.]

PART 226—SURETY COMPANIES

ISSUANCE OF CERTIFICATE TO EMPLOYERS MUTUAL LIABILITY INSURANCE CO.

JUNE 5, 1943.

A Certificate of Authority has been issued by the Secretary of the Treasury to the following company under the Act of Congress approved August 13, 1894, 28 Stat. 279-80, as amended by the Act of Congress approved March 23, 1910, 36 Stat. 241, (U.S. Code, title 6, secs. 6-13) to qualify as sole surety on recognizances, stipulations, bonds and undertakings permitted or required by the laws of the United States. An underwriting limitation of \$683,000 has been established for the company. Further details as to the extent and localities with respect to which the company is acceptable as surety on Federal bonds will appear in the next issue of Treasury Department Form 356, copies of which, when issued, may be procured from the Treasury Department, Bureau of Accounts, Section of Surety Bonds, Washington, D. C.

Name of company, location of principal executive office and State in which incorporated: Employers Mutual Liability Insurance Company of Wisconsin, Wausau, Wisconsin.

[SEAL] D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 43-9266; Filed, June 8, 1943;
11:00 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice Chairman

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 3156—CATTLE HIDE LEATHER AND CATTLE HIDE LEATHER PRODUCTS

[Conservation Order M-273, as Amended
June 7, 1943]

The fulfillment of requirements for the defense of the United States has created shortages in the supplies of cattle hide leather and cattle hide leather products for defense, for private account and for export; and the following order is

deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3156.1 Conservation Order M-273—

(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time, except as provided in paragraph (h) of this order.

(b) *Definitions.* For the purposes of this order:

(1) "Tanner" means any person who during the preceding three years has tanned, or who during the operation of this order tans, more than 100 cattle hides during any one calendar month either for his own account or on contract for others.

(2) "Cattle hides" means the hides or skins of bulls, steers, cows, and buffaloes, whether native or branded, foreign or domestic, including calf and kip skins (but excluding slunks).

(3) "Military order" means an order for leather to be delivered to, or for the account of, the Army or Navy of the United States, the Marine Corps, the Coast Guard, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, or any foreign government pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act) or for leather to be physically incorporated into products to be so delivered.

(4) "Manufacturer" means any person engaged in the business of making cattle hide leather products, except a person primarily engaged in repairing such products for non-industrial consumers.

(c) *Restrictions on harness, skirting, collar, latigo, lace, rigging, rawhide, bag, case, strap and upholstery leather.* Effective April 1, 1943, no tanner shall fill or contract to fill any order (whether or not bearing a preference rating) for any harness, skirting, collar, latigo, lace, rigging, rawhide, bag, case, strap or upholstery leather in excess of the monthly or other quota and delivery schedule fixed for such tanner from time to time by the War Production Board pursuant to application on Report Form PD-772.

(d) *Prohibition against blackening of harness leather.* No tanner shall produce any harness leather in any color other than russet, except to fill military orders.

(e) *Restrictions on processing and disposition of leather.* (1) No tanner shall process cattle hides in a manner contrary to any order issued by the War Production Board pursuant to this paragraph, directing the production of specific types of leather meeting military or other designated specifications.

(2) No tanner shall sell or deliver leather contrary to any order of the War Production Board issued pursuant to this paragraph restricting the sale or delivery of leather meeting designated military specifications.

(3) No tanner shall produce any bag, case, or strap leather from cattle hides

of qualities meeting Federal Specifications KK-L-151a, KK-L-166 or KK-L-271a unless the hides are split in a manner to yield—

(i) Grains of the weights required to meet his unfilled military orders, or

(ii) Grains of the maximum weights obtainable, provided that this restriction shall not require the production of grains in excess of eight ounces.

(f) *Restrictions on the use of cattle hide leather in manufacturing.* (1) No manufacturer shall incorporate any cattle hide leather in any product not listed in Schedule A hereof, except as provided in paragraph (f) (2).

(2) The restrictions of paragraph (f) (1) shall not apply to products manufactured:

(i) From cattle hide leather ordered by the manufacturer prior to February 17, 1943, and delivered to him prior to April 1, 1943, if the products are completely fabricated before December 31, 1943: *Provided, however,* That nothing in this paragraph shall constitute an exemption from the provisions of General Limitation Order L-284 (Luggage), or any other applicable order of the War Production Board.

(ii) From leather of the following types if such leather is not suitable for military orders or for any product listed in Schedule A:

Vegetable tanned cattle hide leather under three and one-half ounces in weight other than calf or kip;

Upholstery leather buffings;

Cattle hide leather scrap.

(iii) From cattle hide leather not suitable for any product listed in Schedule A if specifically authorized by the War Production Board. Any tanner or manufacturer may apply by letter once a month for relief under this paragraph, stating why such relief is necessary, the customers to whom he intends to sell and the proposed uses of such leather.

(iv) To fill military orders.

(3) No manufacturer shall use:

(i) Rough sole leather under 12 iron for any purpose other than the manufacture or repair of footwear.

(ii) Rough sole leather 12 iron or heavier for any purpose other than the manufacture or repair of footwear, or for round belting.

(iii) Rough or curried belting leather for any purpose other than transmission belts, hydraulic, packing, mechanical, or textile leathers: *Provided, however,* That this restriction shall not apply to slabs cut from the portion of the butt bend or single bend beginning at the edge from which the belly was removed and not exceeding twelve inches in width at the widest point.

(iv) Rough shoulders cut from belting or sole leather hides for any purpose other than welting, hydraulic, packing, mechanical or textile leathers.

(4) The restrictions of paragraphs (f) (3) (i), (ii) and (iv) shall not apply to military orders.

(g) No tanner or processor shall sell or deliver any cattle hide leather if he knows or has reason to believe that such leather will be used in violation of this order.

(h) Notwithstanding the provisions of Priorities Regulation No. 3, no preference rating applied to the delivery of clothing, gloves, shoes or other wearing apparel shall be extended to obtain leather to be incorporated in such products, except to fill military orders.

(i) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(j) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington, D. C., Reference M-273.

(k) *Reports.* Tanners of cattle side upper leather shall file monthly reports of their operations on Form PD-770. Tanners of calf and kip leather shall file monthly reports of their operations on Form PD-778. Tanners of harness, skirting, collar, latigo, lace, rigging, rawhide, bag, case, strap and upholstery leather shall file reports of their operations on Form PD-772 on or before the 10th day of each month commencing with the month of March, 1943. In addition, all persons affected by this order shall execute and file with the War Production Board such other reports and questionnaires as may be required by said Board from time to time.

(l) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, purchases, production and sales.

(m) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 7th day of June 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Footwear.
Transmission belts.
Hydraulic, packing and mechanical leather products.
Leather products for textile equipment.
Harness, horse collars, and saddlery for police, farm and industrial use.
Trusses.
Surgical supports.
Artificial limbs.
Orthopedic products including arch supports.
Cattle and drovers' whips and quirts.
Belt laces and thongs.
Cap visors.
Divers' equipment.
Motorcycle saddles.
Sheaths for industrial knives.
Work chaps.
Work gloves.
Work aprons.

Garments for heavy duty workers, provided made from leather produced unavoidably in tanning or cutting for specific military orders, but rejected as not meeting military specifications.

Heavy duty work belts.

Industrial safety clothing and equipment only to the extent essential for safety and protection in the performance of the workers' duties.

Furniture leather essential for repair and maintenance of transportation equipment, office and commercial furniture.

Athletic goods except golf bags.

Leather puttees for peace officers, transportation and industrial workers.

Rifle scabbards, pistol holsters, pistol belts for peace officers, guards, cowboys.

Luggage handles and attaching pieces, welts, bindings and corners.

Rawhide hammers and hammer faces.

[F. R. Doc. 43-9194; Filed, June 7, 1943; 11:58 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[Direction 12 to CMP Reg. 1]

WATER WELL DRILLER

The following direction is issued to all water well drillers pursuant to § 3175.1 of CMP Regulation 1:

(a) A water well driller may file a CMP-4B application for controlled materials necessary for his business.

(b) For the purpose of this direction water well drilling means the drilling and casing of water wells, including the insertion of pipe into the earth for the purpose of enabling water to reach the earth's surface, the laying of pipe on the surface to enable subsurface water to reach the pump (if any) but excluding any other use of pipe to conduct water on the surface.

Issued this 7th day of June 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-9195; Filed, June 7, 1943; 11:59 a. m.]

PART 3189—FURNITURE

[General Limitation Order L-260, as Amended June 7, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron and steel and other critical materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3189.1 *General Limitation Order L-260—(a) Definitions.* For the purposes of this order:

(1) "Furniture" means all items commonly classified as furniture and including all items contained on Schedule A attached to this order, as amended from time to time. It shall not include items listed on Schedule B attached to this order, as amended from time to time.

(2) "Essential metal parts" means nails, brads, tacks, screws, bolts, nuts, hanger bolts, rivets, staples, washers and burrs, button molds, hinges (except hinge mechanisms for sofa beds) catches, strapping, top fasteners, drawer clips, shelf supports, domes and glides, bed fasteners, bed packing hooks, corrugated fasteners, table locks, table cleats, mirror clips, angle braces, caps for leg tops of

folding chairs, expansion shells, operating hardware for venetian blinds and venetian blind center supports for head rails and tilt rails.

(3) "Non-essential metal parts" means any hardware or parts containing any metal specifically intended for incorporation into furniture other than essential metal parts.

(4) "Metal parts manufacturer" means any person engaged in the business of manufacturing or assembling hardware or metal parts specifically intended for incorporation into furniture, whether or not he also manufactures furniture.

(5) "Furniture manufacturer" means any person engaged in the business of manufacturing or assembling furniture, whether or not he also manufactures metal parts for furniture.

(6) "Pattern" means any piece of furniture having its own identification mark and selling price, except that for the purposes of this order, two or more pieces of furniture identical in every respect other than color, finishing materials, fabric, leather, or other outer covering or cover but having the same selling price shall be considered to be one pattern. Two or more pieces of furniture identical in every respect other than in their method of joining or their content of essential metal parts, shall be considered to be one pattern, whether or not they have the same selling prices. Two or more pieces of furniture identical in every respect but cut in different woods or veneers or containing different trims other than handles, shall be considered two or more patterns regardless of whether they carry identical identification marks and selling prices. Similarly, a suite of furniture of two or more different pieces shall constitute two or more patterns.

(7) "Preferred order" means any order, contract, or subcontract placed by or for the account of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, or the Federal Public Housing Authority.

(8) "Cost value" means cost computed in accordance with the method of accounting consistently used by a furniture manufacturer for bookkeeping and financial statement purposes.

(9) "Pattern base period" means the month of September, 1941.

(10) "Metal parts base period" means the calendar year 1941, except that in the case of a furniture manufacturer whose fiscal year did not end on December 31, 1941, it means his fiscal year ending at any time between June 1, 1941 and May 31, 1942, inclusive.

(11) "Consume" when applied to essential metal parts means to use such parts in the production or packing of furniture or to supply such parts with furniture shipped in knock-down form.

(b) *Restrictions on production and acquisition of non-essential metal parts.*

(1) On and after March 1, 1943, no metal parts manufacturer shall accept delivery of any iron or steel intended for the fabrication of non-essential metal parts.

(2) On and after March 26, 1943, no metal parts manufacturer shall process, fabricate, work on or assemble any non-essential metal parts.

(3) On and after April 12, 1943, no furniture manufacturer shall accept delivery of any non-essential metal parts.

(c) *Restrictions on essential metal parts.* (1) During the period beginning February 23, 1943 and ending June 30, 1943, no furniture manufacturer shall consume in the production of furniture (other than for preferred orders) essential metal parts having a total cost value of more than 25% of the total cost value of essential metal parts consumed by him in the production of furniture during his metal parts base period (other than for preferred orders).

(2) During the three months period beginning July 1, 1943, and during each three months period thereafter, no furniture manufacturer shall consume in the production of furniture (other than for preferred orders) essential metal parts having a total cost value of more than 12½% of the total cost value of essential metal parts consumed by him in the production of furniture during his metal parts base period (other than for preferred orders).

(3) The restrictions contained in paragraphs (c) (1) and (c) (2) of this order shall not apply to venetian blinds.

(4) On and after June 1, 1943, no furniture manufacturer shall consume in the production of venetian blinds more essential metal parts than 9 ounces per blind plus 2 ounces per blind for venetian blinds measuring 45" or more in width.

(d) *Restrictions on patterns.* (1) On and after July 1, 1943, no furniture manufacturer shall process, fabricate, work on, assemble or offer for sale more patterns than 35% of the total number of patterns offered for sale by him during the pattern base period, or 24 patterns, whichever is greater.

(2) On and after March 15, 1943, no furniture manufacturer shall process, fabricate, work on, assemble or offer for sale any pattern which had not been offered for sale by him prior to that date.

(3) The restrictions contained in this paragraph (d) shall not apply to venetian blinds.

(e) *Preferred order exemption.* The restrictions contained in this order shall not apply to preferred orders.

(f) *Special authorization exemption.* The War Production Board may grant specific authorizations to furniture manufacturers for relief from the provisions of paragraphs (b) (3), (d) (1), and (d) (2) of this order.

(g) *Reports.* (1) All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(2) On or before March 27, 1943, each furniture manufacturer shall file with the War Production Board a report on Form PD-798, stating the cost value of essential metal parts consumed by him during the metal parts base period and the number of patterns offered for sale by him during the pattern base period.

(h) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(i) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(j) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(k) *Appeal.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(l) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(m) *Applicability of other orders.* In so far as any other order heretofore or hereafter issued by the War Production Board limits the use of any material in the production of wood furniture to a greater extent than the limits imposed by this order, the restrictions in such other order shall govern unless otherwise specified therein.

(n) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington, D. C., Ref: L-260.

Issued this 7th day of June 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Venetian blinds.
Barber and beauty shop furniture.
Store display equipment and show cases.
Frames to be used in the production of furniture.

SCHEDULE B

Metal office furniture and equipment as covered by Limitation Order L-13-a, as amended.
Metal household furniture as defined in Limitation Order L-62, as amended.
Bedding products as defined in Limitation Order L-49, as amended.
Hospital, medical, dental and related equipment as covered by List A of Conservation Order M-126, as amended.
Refrigerators.
Wooden lockers for offices and factories.
Wooden shelving.
Wooden factory and industrial equipment.
Furniture specifically designed for use in offices.
Wooden filing cabinets.
Baby cribs, high chairs, toilet chairs, toilet seats, and bathinettes.

[F. R. Doc. 43-9192; Filed, June 7, 1943; 11:56 a. m.]

PART 3193—MATCHES

[Limitation Order L-263 as Amended June 7, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply for defense, for private account and for export of lumber and other materials used in the manufacture of matches; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3193.1 Limitation Order L-263—

(a) *Definitions.* (1) "Strike-on-box match" means a wood splint match normally strikeable on the box only, through the special preparation of the match head and the striking surface of the box.

(2) "Strike-anywhere match" means a wood splint match normally strikeable on any surface.

(3) "Book match" means a paper or cardboard splint match normally sold in book form.

(4) "Nought-size match" means a strike-anywhere match normally sold in boxes containing between 37 and 41 matches.

(5) "Single-lined board" means any paper board having a lining on one side containing virgin pulp or high grade waste or a combination thereof, the center and back being composed solely of materials listed in Schedule A annexed hereto.

(6) "Distributor" means a unit which purchases matches for resale at wholesale and includes any unit which purchases matches directly from a match manufacturer, but shall not include the Army or Navy of the United States, the United States Maritime Commission, War Shipping Administration, or any other agency of the United States Government or of any state, territory or possession thereof. For the purposes of this order, the individual, partnership, corporation, association or other business entity shall be held to constitute such unit, except that where, under practice in effect as of January 1, 1943, purchases are made separately by two or more subdivisions within the partnership, corporation, association or other business entity, each such subdivision shall constitute such unit.

(7) "30-day supply" or "45-day supply" means one-twenty-fourth and one-sixteenth, respectively, of the total quantity of matches of which delivery was accepted during the two year period January 1, 1941, to December 31, 1942.

(8) "Penny box match" means a strike-on-box match or nought-size match packaged for sale in boxes normally containing between 37 and 41 matches.

(b) *Restrictions on production and packaging.* No manufacturer of matches shall on and after March 27, 1943:

(1) Manufacture any strike-anywhere match having a splint length exceeding 2½ inches.

(2) Manufacture any strike-on-box match or nought-size match having a splint length exceeding 1 13/16 inches.

(3) Manufacture any book match having less than 20 or more than 40 splints per book.

(4) Package wood splint matches in any match box or holder designed to carry or hold, on an average, less than 40 wood splint matches.

(5) Package in any caddy a quantity of book match books containing in the aggregate less than 1,000 book match splints.

(6) Use in stitching any book match, steel wire heavier than 25 gauge wire or use more than $\frac{7}{8}$ of an inch of wire for each 20 book match splints.

(7) Manufacture more than one size of book match splint, nor shall the width of paper board used exceed 1.25 inches for each ten match splints.

(8) Manufacture any box for strike-on-box matches having a phosphorus striking surface greater than the area of one side of such box.

(9) Manufacture any cover for book matches having a phosphorus striking surface exceeding $\frac{1}{4}$ inch in width.

(10) Use in the manufacture of any match, match box, book cover, or caddy, any metal powder, metallic ink, lacquer, spirit varnish or over-print varnish.

(11) Use in the manufacture of any book match cover any paper board other than single-lined board or board manufactured solely from materials listed in said Schedule A.

(12) Package any book match in any caddy made from paper board manufactured from materials other than those listed in said Schedule A.

(13) Package any wood splint match in any match box made from paper board other than single-lined board or board manufactured solely from materials listed in said Schedule A.

(c) *Restrictions on deliveries.* (1) No distributor shall order, or accept delivery of, any type of match if the total quantity of such type of match then owned by him or then in his possession exceeds a 30-day supply. For the purposes of this paragraph and of paragraph (c) (2), there shall be three types of matches; namely, book matches, strike-anywhere matches and penny box matches.

(2) The quantity of any type of match which may be ordered or received by a distributor, who, at the time of placing such order or of such receipt, does not own or have in his possession more than a 30-day supply of such type of match, as specified in paragraph (c) (1) hereof, shall not exceed a 45-day supply of such type of match: *Provided, however, That this paragraph (c) (2):*

(i) Shall not prevent a distributor from ordering or accepting delivery of the minimum carload (containing not more than 24,000 pounds, shipping weight of matches) of such type of matches or a single truck load of such type of matches where shipment was made to him of such type of matches by carload or truck load, as the case may be, during the two-year period January 1, 1941 to December 31, 1942.

(ii) Shall not prevent a distributor from ordering or accepting delivery of 300 lbs., shipping weight, of any type of matches where, on the basis of such distributor's receipt of matches during the two-year period January 1, 1941 to December 31, 1942, 300 lbs., shipping weight, of such type of matches exceeds a 45-day supply of such type of matches.

(3) Paragraph (c) (1) and (c) (2) shall not restrict the ordering or receipt of matches for resale directly to the Army or Navy of the United States (including military exchanges and service departments as defined in Priorities Regulation No. 17), the United States Maritime Commission, the War Shipping Administration, or any other agency of the United States Government or of any state, territory or possession thereof, and any matches so ordered or received shall be excluded from any determination of a distributor's 30-day supply or 45-day supply of matches, or type of matches.

(4) No person shall deliver matches to a distributor if he knows or has reason to believe that such delivery will be in violation of paragraphs (c) (1) and (c) (2) hereof.

NOTE: Paragraph (4) redesignated June 7, 1943.

(d) *Miscellaneous provisions.*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(3) *Violations.* Any person who willfully violates any provisions of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C. Ref: L-263.

Issued this 7th day of June 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Mixed paper.
News.
Overissue news.
Old corrugated containers.

Old craft corrugated containers.
New corrugated cuttings.
Box board cuttings.

[F. R. Doc. 43-9193; Filed, June 7, 1943;
11:57 a. m.]

PART 3265—ETHYL ACETATE AND ISOPROPYL ACETATE

[General Preference Order M-327]

§ 3265.1 *General Preference Order M-327*—(a) *Definitions.* (1) "Ethyl acetate" means the chemical known by that name or the name acetic ether, from whatever source derived.

(2) "Isopropyl acetate" means the chemical known by that name, from whatever source derived.

(3) "Producer" means any person engaged in the production or processing of ethyl acetate or isopropyl acetate, and includes any person who imports ethyl acetate or isopropyl acetate or has ethyl acetate or isopropyl acetate produced for him pursuant to toll agreement.

(4) "Distributor" means any person who purchases ethyl acetate or isopropyl acetate solely for the purpose of resale without further processing.

(5) "Supplier" means a producer or distributor.

(b) *Directions to producers.* War Production Board may from time to time issue directions to producers respecting the quantity of ethyl acetate or isopropyl acetate to be produced and the division of production as between the two.

(c) *Restrictions on deliveries and use.* (1) On and after June 12, 1943, no person shall deliver, accept delivery of, or use ethyl acetate or isopropyl acetate except as specifically authorized or directed in writing by War Production Board.

(2) Authorization or directions with respect to deliveries or use in each calendar month will so far as practicable be issued by War Production Board prior to the commencement of such month, but War Production Board may at any time in its discretion and notwithstanding the provisions of paragraph (d) hereof, issue directions with respect to deliveries to be made or accepted, or with respect to the use or uses which may or may not be made of ethyl acetate or isopropyl acetate to be delivered to, or already in the inventory of, the prospective user.

(3) Each person specifically authorized to use or accept delivery of ethyl acetate or isopropyl acetate shall use such material for the purpose authorized, and only for such purpose, except as otherwise specifically directed in writing by War Production Board. Ethyl acetate and isopropyl acetate allocated for inventory shall not be used except as specifically authorized in writing by War Production Board.

(4) Ethyl acetate and isopropyl acetate allocated to fill a specified order or class of orders shall, where and to the extent that such order or class of orders is not for any reason filled, revert to inventory as though originally allocated therefore.

(d) *Exceptions to requirement for specific authorization.* (1) Notwithstanding the provisions of paragraph (b) (1) hereof, specific authorization of War Production Board shall not be required for:

(i) The delivery by any supplier to any other person in any calendar month of not more than 54 gallons of ethyl acetate or isopropyl acetate in the aggregate.

(ii) Acceptance of delivery by any person from any supplier in any calendar month of not more than 54 gallons of ethyl acetate or isopropyl acetate in the aggregate.

(iii) The use by any person in any calendar month of not more than 54 gallons of ethyl acetate or isopropyl acetate in the aggregate.

(2) No supplier shall make any delivery pursuant to paragraph (d) (1) if such delivery will prevent the completion of any delivery which he has been specifically authorized or directed to make.

(e) *Applications and reports.* (1) Each person requiring authorization to accept delivery of, or to use, ethyl acetate or isopropyl acetate during any calendar month beginning with July, 1943 (including a person seeking such chemicals for resale) shall file application therefor on or before the 15th day of the preceding month. Application for acceptance of delivery or use in June, 1943, shall be filed as soon as possible. In any case, such application shall be made on Form PD-600 in the manner prescribed therein subject to the following special instructions:

(i) Copies of Form PD-600 may be obtained at local field offices of War Production Board.

(ii) Five copies shall be prepared of which four shall be forwarded to War Production Board, Chemicals Division, Washington, D. C., Ref: M-327, and the fifth to be retained for applicant's files.

(iii) An applicant who seeks to receive or use both ethyl acetate and isopropyl acetate shall file a separate set of Form PD-600 for each. Also, where applicant has placed (or proposes to place) orders for ethyl acetate or isopropyl acetate with two or more suppliers for delivery in the applicable month, a separate set of such Form PD-600 shall be filed with respect to each supplier.

(iv) In the heading, under "Name of chemical", specify either "Ethyl acetate" or "Isopropyl acetate"; under "WPB Order No.", specify "M-327"; under "Indicate unit of measure", specify "Pounds."

(v) In space under "Supplier with whom this order is placed", applicant will state the name of the supplier with whom he has placed (or intends to place) an order for the ethyl acetate or isopropyl acetate covered. If application is for authority to use ethyl acetate or isopropyl acetate from own inventory, leave these spaces blank.

(vi) Leave blank Columns 1, 11 and 19.

(vii) In Columns 3 and 20, applicant will specify his primary product in terms of the following:

Chemicals (specify)
Denaturant
Foods and flavorings
Lacquers
Other protective coatings
Other products (specify)
Resale (as ethyl acetate or isopropyl acetate)

Inventory (as ethyl acetate or isopropyl acetate)

(viii) In Column 4 specify ultimate use of product. For example, if the "primary product" called for in Column 3 is "lacquers", the "ultimate use" of the product might be "aircraft finishes". Applicant will also specify in each case whether his customer is Army, Navy, other government agency, Lend-Lease or commercial customer, and will give government specification and contract numbers, if any. Where the Form PD-600 is an application for ethyl acetate or isopropyl acetate for resale or for inventory (as ethyl acetate or isopropyl acetate) leave Column 4 blank.

(ix) In each case where the application on Form PD-600 for authorization to use ethyl acetate or isopropyl acetate is granted, one copy of PD-600, signed by War Production Board, will be returned to the applicant. Where the application is also for authorization to accept delivery, a second copy, similarly signed, will be sent to the supplier selected by War Production Board, and will constitute an authorization to such supplier to make delivery of ethyl acetate or isopropyl acetate to the person entitled by such Form PD-600 to accept delivery. Where authorization is to accept delivery, War Production Board may in the alternative prepare, execute and transmit to the supplier Form PD-601 authorizing such supplier to make delivery to the one or more persons listed therein.

(x) Applicant will fill out completely Tables II, III and IV.

(2) Each producer of ethyl acetate or isopropyl acetate shall file Form PD-601 on or before the 15th day of each month, beginning with July, 1943. Such Form PD-601 shall be executed in the manner prescribed therein subject to the following special instructions:

(i) Copies of Form PD-601 may be obtained at local field offices of War Production Board.

(ii) Four copies shall be prepared, of which three shall be forwarded to War Production Board, Chemicals Division, Washington, D. C., Ref: M-327, the fourth copy to be retained for applicant's files.

(iii) A separate set of such Form PD-601 shall be filed for ethyl acetate and isopropyl acetate.

(iv) In the heading, under "Name of chemical", specify either "Ethyl acetate" or "Isopropyl acetate", as the case may be; under "WPB Order No.", specify "M-327"; under "Indicate unit of measure", specify "Pounds"; in heading "This schedule is for deliveries to be made during the month of _____, 194____", strike out words "to be" and insert month preceding month in which Form PD-601 is filed, and also indicate year.

(v) List in Column 1, "Total small order deliveries last month", and in Column 4 specify the total quantity of ethyl acetate or isopropyl acetate delivered by applicant in such last month pursuant to paragraph (d) (1) (i) hereof. Table I will in all other respects be left blank.

(vi) Table II must be filled in completely by producers, except for Columns 8, 15 and 16, which may be left blank.

(3) War Production Board may issue other and further directions with respect

to preparing and filing Forms PD-600 and PD-601.

(f) *Miscellaneous provisions.*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C. Ref: M-327.

Issued this 7th day of June 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-9196; Filed, June 7, 1943;
11:58 a. m.]

PART 3270—CONTAINERS
[Conservation Order M-81, as Amended
June 7, 1943]

CANS

NOTE: Part 1068 transferred to Part 3270 June 7, 1943.

§ 3270.31 *Conservation Order M-81—*

(a) *Definitions.* (1) "Can" means any unused container which is made in whole or in part of tinplate, terneplate, blackplate, or waste, and which is suitable for packing any product. The term includes any container closure or fitting made in whole or in part of tinplate, terneplate, blackplate, or waste, but does not include a closure or fitting to be used on or as a part of a glass container. The term does not include fluid milk shipping containers, as defined in Conservation Order M-200.

(2) "Tinplate" means any sheet steel coated with tin and includes "primes", "seconds", "waste-waste" (except "electrolytic waste-waste"), and all other forms of tinplate except waste.

(3) "Terneplate" means sheet steel coated with a lead-tin alloy, and includes "primes", "seconds", "waste-waste", and all other forms of terneplate except waste.

(4) "Blackplate" means any sheet steel 29-gauge or lighter, other than tinplate or terneplate. The term includes "blackplate rejects" and "electrolytic waste-waste", and all other forms of blackplate except waste.

(5) "Waste" means scrap tinplate, terneplate, and blackplate, produced in the ordinary course of manufacturing cans.

(6) "Pack", unless particularly specified, means the quantity, by area measurement, of tinplate, terneplate, and blackplate required for the manufacture

of all sized cans used by a person for packing a particular product during the base period specified.

(b) Restrictions upon manufacture, sale, and delivery of cans. (1) No person shall sell or deliver any can except under a purchase order or contract validated by a delivery to such person of a purchaser's certificate, manually signed by the purchaser or an authorized official of the purchaser, in substantially the form attached hereto as Exhibit A. No person shall manufacture, sell, or deliver any can which he knows or has reason to believe will be used in violation of any provision of this order.

(2) No person shall manufacture any cans smaller than five gallons with ears, bails, or handles, or any metal keys for opening cans, except that the restrictions of this paragraph (b) (2) shall not apply to cans or keys to be delivered to (1) the Army, Navy, Marine Corps, Maritime Commission or War Shipping Administration of the United States (including persons operating vessels for such Commission or Administration for use thereon), pursuant to a letter of intent approved by or a purchase order or contract negotiated for or with any of these agencies, or (2) to other persons pursuant to authorization by the Maritime Commission under Form PD-300.

(c) Restrictions upon purchase, acceptance of delivery, and use of cans. (1) No person shall, during the calendar year 1943 (or the seasonal year 1942-1943, when specified), purchase, accept delivery of, or use for packing a product any can except to the extent permitted in Schedules I, II, and III, attached to this order: *Provided, however*, That a jobber or retail store may obtain and sell cans in conformity with the provisions of this order.

(2) The schedules attached to this order list the only products permitted to be packed in cans, packing quotas, sizes of cans, and the kinds of plate permitted for the manufacture of cans.

The calendar year basis shall obtain except for products for which a seasonal year is specified. A seasonal year for a particular product represents a twelve months' period beginning in one calendar year and ending in the next.

The sizes of the can specified for a particular product indicate the only sized cans which may be used for packing that product, except that such product may, subject to all other restrictions imposed by this order, be packed in cans larger than the largest size specified therefor.

When tinplate is specified for the manufacture of cans for packing a particular product, the coating indicated represents the maximum weight of tin coating per single base box. The term "0.50 tinplate" wherever used in this order, includes "menders" arising in the production of such tinplate which have been hot dipped with a maximum tin coating of 1.25 pounds per base box. When SCMT is specified, Special Coated Manufacturers' Terneplate is referred to. When blackplate is specified, the

specification includes chemically treated blackplate (CTB).

(3) No product packed in a can shall be repacked for sale in a can or any other container by the same or a different person in the same or a different form except to the extent specifically permitted in the schedules attached to this order or pursuant to Conservation Order M-104.

(4) No dried or frozen fruit or vegetable shall be packed in a can, except to the extent specifically permitted in the schedules attached to this order.

(d) Exceptions. (1) The restrictions imposed by this order shall not apply to the purchase, acceptance of delivery, or use of the following cans:

(i) Cans (other than for samples distributed for the purpose of advertising or promoting the sale of a product), for packing any product which is not to be sold in the same or different form.

(ii) Fiber or paper bodied cans with ends made of waste for packing the following products: any food product for human consumption, antiseptic or medicinal powders, dental plastics, dentifrice powders, insect and rodent poisons, seed disinfectants and seed inoculants, caulking compound, cements, and photographic chemicals.

(iii) Open-top sanitary tinplate cans for packing any products listed in Schedules I and II attached to this order: *Provided*, (1) The packer has packed and set aside the full amount of any such product which he is required to set aside pursuant to Food Distribution Order No. 22 and orders supplementary thereto; (2) the cans are not of any of the specific sizes listed for open-top sanitary cans in Schedules I and II; and (3) the cans either were manufactured on or before December 9, 1942, or were or are manufactured from parts lithographed, cut to individual size, or partially assembled on or before December 9, 1942, and/or from parts produced from tinplate which, on or before December 9, 1942, was so processed or was of such size, gauge or grade that it is not suitable for the manufacture of tinplate cans of the types and sizes permitted by this order (exclusive of cans for which "frozen tinplate" is specified).

(iv) Cans (other than open-top sanitary tinplate cans) for packing, subject to quota restrictions, any product listed in Schedules I, II, and III or, if the cans are not suitable for any such product, for packing any product not so listed: *Provided*, That, in either event, the cans (1) are not of the specific sizes listed, in the schedules attached to this order, for the products for which the cans were originally designed and (2) either were completely manufactured on or before December 9, 1942, or were or are manufactured from parts cut to individual size for such cans on or before December 9, 1942.

(v) Cans for packing any products not listed in Schedules I and II attached to this order when such cans are to be de-

livered either packed or empty to the Army, Navy, Marine Corps, Maritime Commission or War Shipping Administration of the United States (including persons operating vessels for such commission or Administration for use thereon), either (1) pursuant to a letter of intent approved by or a purchase order or contract negotiated for or with any of these agencies, or (2) to other persons pursuant to authorization by the Maritime Commission under Form PD-300.

(2) [Revoked April 27, 1943]

(3) No certificate shall be required for the sale or delivery of cans to any purchaser who has already filed a certificate with his seller under Conservation Order M-81.

(e) Miscellaneous provisions.—(1) Applicability of priorities regulations. This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(2) Appeals. Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of appeal.

(3) Communications. All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Containers Division, War Production Board, Washington, D. C. Ref.: M-81.

(4) Violations. Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further delivery of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(5) [Revoked April 27, 1943]

Issued this 7th day of June 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

EXHIBIT A PURCHASER'S CERTIFICATE

One copy of this certificate is to be delivered to each person from whom purchases are made of cans made in whole or in part of tinplate, terneplate, blackplate, or waste. Such certificate shall cover all purchases present and future so long as Conservation Order M-81, in its present form or as it may be amended from time to time, remains in effect.

The undersigned purchaser hereby certifies to the seller herein and to the War Production Board that he is familiar with Conservation Order M-81, as heretofore amended, and that during the life of such order he will not use or sell any can purchased from

(Name of Seller)

(Address of Seller)

pursuant to this or future purchase orders or contracts in violation of terms of such order.

Date _____ (Legal name of Purchaser)

SCHEDULE I—FOOD CANS—Continued

Product (1)	Packing quota (2)	Can sizes (3)	Can materials	
			Body (4)	Ends (5)
FRUITS AND FRUIT PRODUCTS—CON.				
14. Orange juice.....	FDO-22	2-3 cyl-10***	1.25 tin	1.35 tin.
15. Orange-grapefruit juice blended (50% orange-50% grapefruit).....	FDO-22	2-3 cyl-10***	1.25 tin	1.35 tin.
16. Peaches (clingstone), halves, slices or cubes.....	Unlimited	2 1/2-10***	1.25 tin	1.25 tin.
17. Peaches (freestone), halves, slices, or cubes. Not to be packed in California.....	Unlimited	2 1/2-10***	1.25 tin	1.25 tin.
18. Pears, halves, slices, or cubes.....	Unlimited	2 1/2-10***	1.25 tin	1.25 tin.
19. Pineapple, slices, chunks, crushed, or tidbits. Spears not to be packed.....	Unlimited	2-3 1/2-3 cyl-10 ***	1.25 tin	1.25 tin.
20. Pineapple juice.....	Unlimited	2 1/2-10	1.25 tin	1.25 tin.
21. Plums, green or yellow.....	100% 1942	2 1/2-10	1.50 tin	1.50 tin.
22. Prunes, fresh Italian. Not to be packed in California.....	50% 1942	2 1/2-10	1.50 tin	1.50 tin.
VEGETABLES AND VEGETABLE PRODUCTS				
23. Asparagus, all-green or culturally bleached.....	Unlimited	2-2 1/2-10***	1.25 tin	1.25 tin.*
24. Beans, green or wax.....	Unlimited	2-2 1/2-10***	1.25 tin	1.25 tin.*
25. Fresh shelled beans (whether referred to as beans or peas).....	Unlimited	2-2 1/2-10***	1.25 tin	1.25 tin.*
26. Lima beans.....	Unlimited	2-2 1/2-10***	1.25 tin	1.25 tin.*
27. Other fresh shelled beans, including but not limited to black-eyed peas or beans, field peas, soy beans.....	Unlimited	2-2 1/2-10***	1.25 tin	1.25 tin.*
28. Beets. Whole beets over 1 1/2" diameter not to be packed.....	FDO-22	2-3 1/2-30***	1.25 tin	1.25 tin.*
29. Carrots. Whole carrots not to be packed.....	FDO-22	2-3 1/2-30***	1.25 tin	1.25 tin.*
30. Corn, fresh sweet, cut.....	Unlimited	2-10	1.25 tin	1.25 tin.*
31. Whole kernels.....	Unlimited	2-2 vacuum (307 x 306) for vacuum pack-10***	1.25 tin	1.25 tin.*
32. Mixtures of vegetables, which consist of not less than 80% of any combination of vegetables listed in this schedule, (or of any such combination and celery, onions, and peppers); provided that the combination by drained weight shall consist of not more than 60% of any one vegetable; and, <i>Provided further</i> , That no vegetable may be packed under this item until the packer has packed and set aside his full quota for that vegetable as established pursuant to Food Distribution Order No. 22 and orders supplementary thereto.....	75% 1941	2-2 vacuum (307 x 306) for vacuum pack-10***	1.25 tin	1.25 tin.*
33. Mushrooms.....	50% 1941-2	2-2 vacuum (307 x 306) for vacuum pack-10***	1.25 tin	1.25 tin.*
34. Okra.....	100% 1940	2-2 1/2-10	1.25 tin	1.25 tin.*
35. Tomatoes and Okra.....	100% 1940	2-2 1/2-10	1.25 tin	1.25 tin.*
36. Peas, green.....	Unlimited	2-2 vacuum (307 x 306) for vacuum pack-10***	1.25 tin	1.25 tin.*
37. Pumpkin and squash.....	FDO-22	2 1/2	1.25 tin	1.25 tin.*
38. Soups: Limited to the below-listed kinds of seasonal and non-seasonal soups containing no less than the specified percentage, by weight, of solids (dry or salt-free, whichever is specified) from dairy products in any form, poultry or poultry products in any form, fresh, brined, and frozen meats and fish of the kinds listed in Schedules I and II, and fresh or brined vegetables of the kinds listed in Schedules I and II. In addition, such solids for listed non-seasonal soups may be obtained from frozen vegetables: <i>Provided</i> , That, during the period June 1, 1943 through December 31, 1943, no person shall use, for all	50% 1941-2	2-2 vacuum (307 x 306) for vacuum pack-10***	1.25 tin	1.25 tin.*

Section 35A of the U. S. Criminal Code (18 U. S. C. 80) makes it a criminal offense to make a false statement or representation to any department or agency of the United States as to any matter within its jurisdiction.

SCHEDULE I—FOOD CANS

NOTE: Items 49, 50, 57 amended June 7, 1943.

(1) Packing quotas specified in this Schedule I indicate total packs of the respective products listed, for all purposes including cans required by any order of the War Production Board, the Department of Agriculture, or the Director of Food Distribution, to be set aside for purchase by a government agency. The designation FDO-22 indicates that cans may be used for packing only the quantity of product required to be set aside by Food Distribution Order No. 22 and orders supplementary thereto, as same may be amended from time to time. Such quantity is hereinafter sometimes referred to as "set aside quotas."

(2) All persons manufacturing cans shall, to the greatest extent available, use 0.50 tinplate wherever the single asterisk appears, in columns (4) or (5), and chemically treated blackplate wherever the double asterisk appears. All persons using cans marked with the asterisk, are hereby required to accept from the manufacturer making delivery, to the greatest extent available, cans made as specified of 0.50 tinplate wherever the single asterisk appears; and cans made as specified of chemically treated blackplate wherever the double asterisk appears. Wherever the double asterisk appears, to the extent that chemically treated blackplate is not available, 0.50 tinplate is to be used by manufacturers, and cans made therefrom accepted by users, to the greatest extent available, in preference to 1.25 tinplate.

(3) Wherever the triple asterisk appears in Column (3) for any product, every canner who possesses No. 10-size can equipment shall pack his entire set-aside quota in No. 10 cans, if the fullest practicable use of that equipment provides sufficient capacity. If such use does not provide sufficient capacity, he shall pack as much of the set-aside quota in No. 10 size cans as such capacity does permit and shall pack the balance of that quota in the other sizes of cans permitted for the particular product.

Product (1)	Packing quota (2)	Can sizes (3)	Can materials	
			Body (4)	Ends (5)
FRUITS AND FRUIT PRODUCTS				
1. Apples, including crabapples. Whole apples not to be packed.	FDO-22	10	1.25 tin	1.25 tin
2. Apple sauce including sauce from crab apples.	FDO-22	2-10***	1.25 tin	1.25 tin
3. Apricots. Whole apricots not to be packed.	FDO-22	2 1/2-10***	1.25 tin	1.25 tin
4. Blackberries, black raspberries, red raspberries, boysenberries, loganberries, and youngberries, when packed as berries. Quota applicable to each kind of berries respectively.	100% 1942	2-2 1/2-10***	1.50 tin	1.50 tin
5. Blueberries or huckleberries.	FDO-22	10	1.50 tin	1.50 tin
6. Cherries, other than white.	100% 1942	2-2 1/2-10***	1.50 tin	1.50 tin
7. Cherries, white.	50% of total frozen tonnage packed in all containers in 1942	1 1/2 of pack in 50 lb cans;	1.25 tin	1.25 tin
8. Cherries, RSP—frozen only.	FDO-22	1 1/2 of pack in 50 lb cans.	1.25 tin	1.25 tin
9. Figs.	Unlimited	10	1.25 tin	1.25 tin
10. Fruit cocktail, consisting of any combination of fruits listed in this Schedule I and grapes; provided that the combination, by drained weight, shall consist of not less than 50 percent peaches and pears, and may consist of not to exceed 10 percent grapes. Pineapple may be re-packed from No. 10 or larger cans, to the extent of 7 percent of the fruit cocktail.	FDO-22	2 1/2-10***	1.25 tin	1.25 tin
11. Grapefruit, segments.	Unlimited	2-3 cyl-10***	1.25 tin	1.25 tin
12. Grapefruit juice.	25% 1940-41	Not more than 1/2 of quota in No. 10.	1.25 tin	1.25 tin
13. Olives, ripe—from 1942 crop only.	Balance in No. 10.		1.25 tin	1.25 tin

SCHEDULE I—FOOD CANS—Continued

Product (1)	Packing quota (2)	Can sizes (3)	Can materials	
			Body (4)	Ends (5)
VEGETABLES AND VEGETABLE PRODUCTS—con.				
such soups, more than 85%, by weight, of the total amount of frozen vegetables he used for the same kinds of soups during the last 7 months of 1942.				
a. Seasonal soups	Unlimited	1 picnic	1.25 tin	1.25 tin.*
Kinds: Minimum solids				
Asparagus.....7% dry solids				
Pea.....7% dry solids				
Spinach.....7% dry solids				
Tomato.....7% dry solids				
Mushroom.....18½% salt-free solids				
b. Non-seasonal soups	75% of total 1942 pack of specified non-seasonal soups.	1 picnic	1.25 tin	1.25 tin.*
Kinds: Minimum solids				
Chicken, chicken gumbo, chicken noodle, gumbo creole, consomme, bouillon.....6% dry solids				
Clam or fish chowders, turtle.....8% dry solids				
Scotch broth, vegetable, vegetable-vegetarian, pepper pot, oxtail, mock turtle, country style chicken, and corn chowder.....10% dry solids				
Beef and vegetable beef.....12% dry solids				
Bean.....23% salt-free solids				
36. Green leafy vegetables			1.25 tin	1.25 tin.*
Spinach	80% 1942	2½-10***		
Other green leafy vegetables, limited to beet, collard, dandelion, kale, mustard, poke, and turnip greens.	80% 1942	2½-10.		
37. Tomatoes	Unlimited	2-2½-10***	1.25 tin	1.25 tin.
38. Tomato catsup, not less than 25 percent (specific gravity 1.11), by weight of total dry solids.	FDO-22	2½-3 cyl-10***	1.25 tin	1.25 tin.*
39. Tomato juice, which may contain not more than 30 percent of other vegetable juices.	Unlimited	2-3 cyl-10***	1.25 tin	1.25 tin.*
40. Tomato sauce, including spaghetti sauce, containing not less than 8.7 percent (specific gravity 1.037), by weight of dry tomato solids, and not less than 10.0 percent (specific gravity 1.042) by weight of total dry solids, salt free. In addition to salt, the contents may contain pepper, spice oils, and other flavoring ingredients.	Unlimited	2-10***	1.25 tin	1.25 tin.*
	125% 1942 pack of sizes 8Z and 1 picnic.	5 gal reusable	1.25 tin	1.25 tin.
		8Z—1 picnic	1.25 tin	1.25 tin.*
41. Tomato paste, from fresh tomatoes, containing not less than 25 percent, by weight of dry tomato solids.	Unlimited	2½-10***-12	1.25 tin	1.25 tin.*
	125% 1942 pack of size 6Z.	5 gal reusable	1.25 tin	1.25 tin.
		6Z	1.25 tin	1.25 tin.*
42. Tomato pulp or puree, from fresh tomatoes, containing not less than 10.7 percent (specific gravity 1.045) or more than 25 percent, by weight of dry tomato solids.	Unlimited	2-2½-10***	1.25 tin	1.25 tin.*
	125% 1942 pack of size 1 picnic.	5 gal reusable	1.25 tin	1.25 tin.*
		1 picnic	1.25 tin	1.25 tin.*
NOTE. Tomato paste, tomato pulp or puree, tomato sauce, and tomato juice may be repacked from 5-gal. or larger reusable cans when required for packing other products, or for repacking in different form (other than in the form of tomato paste, or tomato pulp or puree); but none may be repacked in the same form.				
FISH AND SHELLFISH				
(Processed, and in hermetically sealed cans)				
43. Clams, soft, hard, or razor	Unlimited	½ flat (307 x 200.25). (307 x 201.25)—1 picnic (211 x 400)—1 tall (301 x 411)—2 (307 x 409)—10 (603 x 700).	1.25 tin*	1.25 tin.*
44. Crabmeat	Unlimited	½ flat (307 x 201.25).	1.25 tin*	1.25 tin.*
45. Fish flakes. Dried fish flakes not to be packed.	Unlimited	300 (300 x 407)—2 (307 x 409).	1.25 tin*	1.25 tin.*
46. Ground fish, containing no filler and packed for human consumption only.	Unlimited	300 (300 x 407).	1.25 tin*	1.25 tin.*
47. Fish livers and fish liver oils.	Unlimited	5 gal. reusable	1.25 tin	1.25 tin.
48. Fish roe	Unlimited	300 (300 x 407)—¾ oval (513 x 307 x 103).	1.25 tin*	1.25 tin.*
49. Herring, Atlantic Sea, by whatever name known including sardines.	Unlimited	¾ drawn (300.5 x 404 x 014.5)—¾ drawn (304 x 508 x 105)—¾ three piece (308 x 412 x 112)—300 (300 x 407).		
			1.25 tin*	1.25 tin.*
			1.25 tin*	1.25 tin.**
			1.25 tin.	1.25 tin.
50. Herring, Pacific Sea	Unlimited	1 tall (301 x 411)		
			1.25 tin*	1.25 tin.*
			1.25 tin*	1.25 tin.**
			1.25 tin.	1.25 tin.
			1.25 tin.	1.25 tin.
51. Herring, river (alewives)	Unlimited	300 (300 x 407)—2 (307 x 409).	1.25 tin*	1.25 tin.*

SCHEDULE I—FOOD CANS—Continued

Product (1)	Packing quota (2)	Can sizes (3)	Can materials	
			Body (4)	Ends (5)
FISH AND SHELLFISH—CON.				
52. Mackerel.....	Unlimited.....	300 (306 x 407).....	1.25 tin*	1.25 tin.*
53. Menhaden.....	Unlimited.....	300 (306 x 407).....	1.25 tin*	1.25 tin.*
54. Mullet.....	Unlimited.....	300 (306 x 407).....	1.25 tin*	1.25 tin.*
55. Mussels.....	Unlimited.....	1 picnic (211 x 400)- 2 (307 x 406)-10 (603 x 700).	1.25 tin*	1.25 tin.*
56. Oysters. No. 1 picnic cans shall contain not less than 7½ ounces of oysters by cut-out drained weight; No. 2 cans 14 ounces; and other permitted size cans shall contain a fill correspondingly proportionate to the No. 1 picnic can.	Unlimited.....	1 picnic (211 x 400)- 1 tall (301 x 411)- 2 (307 x 406).	1.25 tin*	1.25 tin.*
57. Pilchards, by whatever name known including sardines.	Unlimited.....	8Z short (211 x 300)- ½ oblong (304 x 508 x 103)- (306 x 510 x 104)- 300 (306 x 407)- 1 oval (607 x 406 x 108).		
Packed in brine.....			1.25 tin*	1.25 tin.*
Packed in oil.....			1.25 tin*	1.25 tin.**
Packed in mustard or tomato sauce.....			1.25 tin	1.25 tin.
58. Salmon.....	Unlimited.....	½ flat (307 x 200.25) (307 x 201.25)-1 flat (401 x 210.5) (401 x 211)-1 tall (301 x 411).	1.25 tin	1.25 tin.*
59. Shad.....	Unlimited.....	300 (306 x 407).....	1.25 tin*	1.25 tin.*
60. Shrimp.....	Unlimited.....	1 picnic (211 x 400)- 5 (502 x 810).	1.25 tin*	1.25 tin.*
61. Squid.....	Unlimited.....	300 (306 x 407).....	1.25 tin*	1.25 tin.*
62. Tuna, bonito, and yellowtail.....	Unlimited.....	½ tuna (307 x 113)- 1 tuna (401 x 205.5)-4 lb. tuna (603 x 408).	1.25 tin*	1.25 tin.*
63. Turtle.....	Unlimited.....	300 (306 x 407).....	1.25 tin*	1.25 tin.*
DAIRY PRODUCTS				
64. Condensed milk, as defined by the Federal Security Administrator, Federal Register, July 2, 1940, § 18.525, page 2444 and § 18.530, page 2445, as amended, Federal Register, August 8, 1941, pages 3973 and 3974.	100% 1942.....	14 oz.....	1.25 tin	1.25 tin.
65. Evaporated milk, as defined by the Federal Security Administrator, Federal Register, July 2, 1940, § 18.520, page 2444.	Unlimited.....	8 lb.....	1.25 tin	1.25 tin.
66. Liquid modifications of milk, for human consumption only, including only milk treated or mixed with other edible substances; provided the packer packed the product in substantially the same form in 1942.	90% 1942.....	6 oz-14½ oz.....	1.25 tin	1.25 tin.
NOTE.—During 1943 a person's pack of evaporated milk in 6 oz. cans shall not exceed 80% of his 1942 pack of 6 oz. cans.				
FISH AND SHELLFISH (For refrigerated shipment, fresh)				
67. Oysters. Until Apr. 30, 1943.....	Unlimited.....	1 gal.....	CTB.....	CTB.

SCHEDULE II—FOOD CANS

NOTE: Paragraph (1) amended June 7, 1943.

(1) Packing quotas specified in this Schedule II indicate permitted packs of the respective products listed, for all purposes except for the Army, Navy, Marine Corps, Maritime Commission or War Shipping Administration of the United States (including persons operating vessels for such Commission or Administration for use thereon), or for any agency of the United States purchasing for a foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend Lease Act). While restrictions pertaining to can sizes and can materials are applicable to such cans, cans used for packing the respective products listed shall be in addition to the specified quotas, when delivered either (a) pursuant to a letter of intent approved by, or a contract or purchase order negotiated with or for, any of the foregoing agencies, or (b) to other persons pursuant to authorization by the Maritime Commission under Form PD-300. The word "none" indicates that no cans shall be used for packing the applicable product except for the above-mentioned agencies. When determining a quota for packing a product listed in this Schedule II, cans packed during the base period (1942) for the above-mentioned agencies shall be excluded.

(2) All persons manufacturing cans shall, to the greatest extent available, use 0.50 tinplate wherever the single asterisk appears, and chemically treated blackplate wherever the double asterisk appears. All persons using cans marked with the asterisk, are hereby required to accept from the manufacturer making delivery, to the greatest extent available, cans made as specified of 0.50 tinplate wherever the single asterisk appears; and cans made as specified of chemically treated blackplate wherever the double asterisk appears.

Wherever the double asterisk appears, to the extent that chemically treated blackplate is not available, 0.50 tinplate is to be used by manufacturers and cans made therefrom accepted by users, to the greatest extent available, in preference to 1.25 tinplate.

SCHEDULE II—FOOD CANS—Continued

Product (1)	Packing quota (2)	Can sizes (3)	Can materials	
			Body (4)	Ends (5)
MEATS AND MEAT PRODUCTS				
(Processed and in hermetically sealed cans)				
1. Bacon.....	None.....	24 oz. 14 lb.	1.25 tin*..... 1.25 tin*.....	1.25 tin.** 1.25 tin.*
2. Beef, veal, mutton, and pork (including tushonka); corned, roast, or boiled, and containing not less than 85 percent meat, by cooked weight. Cans with all seams soldered. Cans with only side seams soldered.	None.....	Any size..... Any size.....	1.25 tin..... 1.25 tin*.....	1.25 tin. 1.25 tin.**
3. Brains.....	100% 1942.....	10½ oz.	1.25 tin*.....	1.25 tin.**
4. Meat products as follows:				
a. Chili con carne when packed without beans and containing not less than 50 percent meat, by uncooked weight, exclusive of added tallow.	(1).....	300 (300 x 407)	1.25 tin*.....	1.25 tin.*
b. Meat loaf, containing not less than 90 percent meat, by uncooked weight, and no added water. When packed as a chopped product, meat loaf may contain not more than 10 percent of the following ingredients: cereal, whole milk, eggs, and seasoning.	(1).....	7 oz.	1.25 tin*.....	1.25 tin.**
c. Meat spreads, including ham, tongue, liver, beef, and sandwich spreads. When packed as a spread, the chopped product shall contain not less than 65 percent meat, by cooked weight, with added cereal or other products. When packed as deviled ham or deviled tongue, the product shall consist of chopped meat without added cereal or other products.	(1).....	3 oz.	1.25 tin*.....	1.25 tin.**
d. Sausage in casings, containing no cereal or similar substance, and not to exceed 10 percent added water, by weight, except pork sausage, which may be prepared with not to exceed 3 percent added water by weight: Vienna sausage, pork sausage.	(1).....	4 oz.	1.25 tin*.....	1.25 tin.**
Sausage in oil, and or rendered pork fat.	(1).....	No. 5.....	1.25 tin*.....	1.25 tin.**
e. Bulk sausage meat, containing not to exceed 3½ percent cereal and not to exceed 3 percent added water, by weight.	(1).....	24 oz.	1.25 tin*.....	1.25 tin.**
f. Chopped luncheon meats, consisting of chopped, seasoned meat with not to exceed 3 percent added water, by weight.	(1).....	12 oz.	1.25 tin*.....	1.25 tin.**
g. Potted meat, consisting of chopped meat or by-products of meat, without added cereal or similar substance, and labeled as a potted or deviled meat product.	(1).....	3¼ oz.	1.25 tin*.....	1.25 tin.**
5. Tongue.....	50% 1942.....	6 oz.	1.25 tin*.....	1.25 tin.**
6. Turkey, boned, and chicken, boned.	None.....	1 lb.	1.25 tin*.....	1.25 tin.**
MISCELLANEOUS FOODS				
7. Baby foods: Consisting of food products of small particle size or in liquid or semi-liquid form made from the following ingredients: fruits, vegetables, meats, poultry products, dairy products, sugar, salt or seasoning, yeast or yeast derivatives. Dried prunes may be included and frozen fruits and vegetables may be used; provided that no person shall use, for packing baby foods, more than 35 percent, by weight, of the frozen fruits and vegetables which he used for this purpose during 1942. Potatoes and cereal products may be used only in combination with other permitted products, and only provided the combined potato and cereal content does not exceed 12 percent, by weight, of the total product. Pineapple may be repacked from No. 10 or larger cans.	100% 1942.....	202 BF (202 x 214).	1.50 tin.....	1.50 tin.
Milk formulas and soybean milk liquid.	100% 1942.....	14½ oz.	1.25 tin.....	1.25 tin.
Milk formulas, dry or powdered.	100% 1942.....	1 lb.	0.50 tin.....	OTB.
No person shall pack any milk formulas unless he packed the product in substantially the same form in 1942.				
8. Dehydrated vegetables.....	None.....	10.....	0.50 tin.....	OTB.
9. Grape juice and grape pulp.....	100% 1942.....	5 gal.	0.50 tin.....	0.50 tin.
10. Citrus pulp and citrus peel.....	100% 1942.....	5 gal. reusable.	1.50 tin.....	1.50 tin.
11. Honey.....	Unlimited.....	5 gal. reusable. 60 lb. reusable.	1.25 tin..... 1.25 tin.....	1.25 tin. 1.25 tin.

* 100% of total 1942 pack of meat products a, b, c, d, e, and g plus 75% of total 1942 pack of meat product f.

SCHEDULE II—FOOD CANS—Continued

Product (1)	Packing quota (2)	Can sizes (3)	Can materials	
			Body (4)	Ends (5)
MISCELLANEOUS FOODS—con.				
12. Goat's milk.....	100% 1942.....	14½ oz.....	1.25 tin.....	1.25 tin.....
13. Milk, skimmed, dry or powdered.....	None.....	50 lb.....	0.50 tin.....	0.50 tin.....
14. Milk, whole, dry, or powdered.....	100% 1942.....	11b-2½ lb., 5lb 25 lb-50 lb.....	0.50 tin..... 0.50 tin.....	0.50 tin.** 0.50 tin.....
15. Special food products; limited to foods other than usual table foods. No person shall pack any special food product unless he packed the product in substantially the same form in 1942, and unless he obtains prior permission upon application to the War Production Board.	See product column.....			
16. Baking powder. Until June 30, 1943..	That number of cans sufficient to pack 50% of poundage packed in 32-oz. or smaller cans during calendar year 1942.	6-oz. to 32-oz., inclusive.	Fiber.....	Frozen blackplate and blackplate rejects.
17. Liquid edible oils, including only animal, vegetable, olive, fish and other marine animal, and edible blends of such oils.	50% 1942 pack of size 3 gal.	5 gal. reusable.	1.25 tin.....	1.25 tin.....
18. Citrus concentrates.....	None.....	10.....	1.25 tin.....	1.25 tin.....
19. Butter and oleomargarine.....	None.....	10.....	1.25 tin.....	1.25 tin.*
20. Maple syrup, limited to syrup made by the evaporation of maple sap, containing not more than 35 percent water and weighing not less than 11 pounds to the gallon.	Unlimited.....	1-gal.....	Frozen tinplate	Frozen tinplate.
21. Pectin, liquid only.....	Unlimited.....	5 gal reusable.	1.25 tin.....	1.25 tin.....

SCHEDULE III—NON-FOOD CANS

NOTE: Paragraphs (1), (2), and entire table amended June 7, 1943.

(1) Packing quotas specified in this Schedule III indicate permitted packs of the respective products listed, for all purposes except for the Army, Navy, Marine Corps, Maritime Commission or War Shipping Administration of the United States (including persons operating vessels for such Commission or Administration for use thereon), or for any agency of the United States purchasing for a foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend Lease Act). Cans used for packing the respective products listed shall be in addition to the specified quotas, when delivered either (1) pursuant to a letter of intent approved by, or a contract or purchase order negotiated with or for, any of the foregoing agencies, or (2) to other persons pursuant to authorization by the Maritime Commission under Form PD-300. The word "none" indicates that no cans shall be used for packing the applicable product except for the above-mentioned agencies. When determining a quota for packing a product listed in this Schedule III, cans packed during the base period (1942) for the above-mentioned agencies shall be excluded.

(2) Wherever blackplate is specified for making the body or ends of a can for packing a product listed in this Schedule III, Special Coated Manufacturers' Terneplate, may be substituted for making any part or fitting of the can which is required to be soldered. Wherever SCMT is specified for making the body or ends of cans for packing a product listed in this Schedule III, black plates of sheet steel coated with lead containing not more than 2½ % residual tin may be used.

(3) No compound containing crude rubber, latex, or synthetic rubber as defined in Order M-15-b, shall be used in the manufacture of cans for packing any product listed in this Schedule III.

SCHEDULE III—NON-FOOD CANS—Continued

Product (1)	Packing quota (2)	Can sizes (3)	Can materials	
			Body (4)	Ends (5)
1. Abrasives, and grinding and buffing compounds. Not to be packed dry.	Unlimited.	Any size.	Blackplate.	Blackplate.
2. Acid nitro-hydrochloric (outer Container).	100% 1942.	1-lb.	Blackplate.	Blackplate.
3. Aniline.	100% 1942.	5-lb.	1.25 tin.	1.25 tin.
4. Bee feeder cans, friction top, for use in shipping bees.	100% 1942.	2-2 1/4-3.	0.50 tin.	CTB.
5. Benzol, naphtha, toluene, and xylene.	100% 1942.	1-gal.	SCMT.	Blackplate.
6. Blood plasma.	Unlimited.	Any size.	0.50 tin.	CTB.
7. Calcium carbide.	100% 1942.	2-lbs, 10-lbs.	Blackplate.	Blackplate.
8. Calcium hypochlorite, Grade A.	100% 1942.	3 3/4 lbs., 5-lbs.	SCMT.	Blackplate.
9. Carbon bisulfide.	100% 1942.	1-lb.	SCMT.	SCMT.
10. Cements and dressings, limited to belting, furnace, linoleum, pipe joint, and radiator. Not to be packed dry.	100% 1942.	1-qt., 1-gal.	Blackplate.	Blackplate.
11. Cements, rubber, solvent, or latex.	100% 1942.	1-qt., 1-gal.	SCMT.	SCMT.
12. Chlorpicrin, bromacetone, monochloroacetone, and acrolein.	100% 1942.	1-lb.	1.25 tin.	1.25 tin.
13. Chloroform and ether.	100% 1942.	Any size.	Blackplate.	Blackplate.
14. Chromic acid (outer container).	100% 1942.	1/4-lb., 1-lb.	Blackplate.	Blackplate.
15. Chromium trioxide.	100% 1942.	25-lb.	SCMT.	Blackplate.
16. Cresole.	100% 1942.	1-gal.	SCMT.	Blackplate.
17. Cyanide, calcium, potassium sodium, and mixtures (including cyanide-chloride mixtures).	100% 1942.	1-lb., 2 1/2-lbs.	SCMT.	Blackplate.
18. Fire extinguisher fluid, limited to chlorinated hydrocarbon type, and foam powder extinguisher charges.	100% 1942.	1-qt., 1-gal.	SCMT.	SCMT.
19. Gasket assembling compounds.	100% 1942.	1-qt., 1-gal.	Blackplate.	Blackplate.
20. Glues and adhesives, liquids.	100% 1942.	1-qt., 1-gal.	SCMT.	SCMT.
21. Grain fumigant, liquid.	100% 1942.	1-gal.	SCMT.	SCMT.
22. Graphite, with liquid content.	100% 1942.	1-qt., 1-gal.	Blackplate.	Blackplate.
23. Greases, lubricating.	100% 1942.	10-lb., 25-lb.	Blackplate.	Blackplate.
24. Inks, printing, duplicating, and lithographing. Slip cover style cans of sizes based upon cans which hold the indicated weights of water.	50% 1942.	8-oz., 12 oz., 1-lb., 2-lb., 5-lb., 10-lb., 25-lb., 50-lb.	Blackplate.	Blackplate.
25. Ink, spirit aniline and rotogravure.	100% 1942.	5-gal.	SCMT.	SCMT.
26. Lye.	100% 1942.	13-oz.	Blackplate.	Blackplate.
27. Drain cleaner.	100% 1942.	12-oz.	Blackplate.	Blackplate.
28. Toilet bowl cleaner, limited to cleaners containing not less than 70% bisulphate of soda: Until September 30, 1943. After September 30, 1943.	75% 1942. 12% 1942.	10-oz. 10-oz.	Blackplate. Fiber.	Blackplate. Blackplate.
29. Nicotine sulphate.	Unlimited.	5-lb.	1.50 tin.	1.50 tin.
30. Nitric acid, fuming (outer Container).	100% 1942.	1/4-lb., 1-lb.	Blackplate.	Blackplate.
31. Oils, essential; distilled or cold pressed.	100% 1942.	1-qt.	1.25 tin.	1.25 tin.
32. Oils, transformer.	100% 1942.	1-gal.	0.50 tin.	0.50 tin.
33. Ointment and salve.	Unlimited.	Any size.	Limited to frozen tinplate and frozen blackplate and blackplate rejects.	1.25 tin.
34. Paints, copper bottom or antifouling.	Unlimited.	1-gal.	1.25 tin.	1.25 tin.
35. Paints. Pigmented oil or oleoresinous, ready mixed, semipaste and paste, including but not limited to white lead in oil, colors in oil, pigmented lacquers, resin emulsion paste, casein paste, and vegetable protein paste paints.	55% 1942.	1-gal. 1-qt.	Fiber. Fiber.	Blackplate. Blackplate ring. Plug and bottoms made from waste blackplate recovered in manufacture of ends for 1-gal. fiber bodied paint cans.
36. Phenol.	100% 1942.	1/2-pt.	Fiber.	Terneplate or blackplate waste.
37. Phosphoric acid meta sticks.	100% 1942.	5-lb.	1.50 tin or frozen charcoal tinplate.	Blackplate.
38. Phosphorus.	100% 1942.	25-lb.	Blackplate.	Blackplate.
39. Potassium hydroxide.	100% 1942.	1-oz., 1/4-lb., 1-lb.	1.25 tin.	1.25 tin.
40. Potassium permanganate, reagent grade.	100% 1942.	25-lb.	Blackplate.	Blackplate.
41. Potassium sulfide.	100% 1942.	5-lb.	1.25 tin.	1.25 tin.
42. Shoe polish, leather dressing, and saddle soap. Not after June 30, 1943 unless specifically authorized by the War Production Board.	50% 1942.	Any size.	Frozen blackplate and blackplate rejects.	Blackplate.
43. Soap, paste, limited to mechanic's hand soap.	100% 1942.	3-lb.	Frozen blackplate and blackplate rejects.	Blackplate.
44. Sodium and potassium metals.	100% 1942.	1-oz., 1/4-lb., 1-lb.	1.25 tin.	1.25 tin.
45. Sodium hydroxide.	100% 1942.	25-lb.	Blackplate.	Blackplate.
46. Sodium peroxide.	100% 1942.	1-oz., 1/4-lb., 1-lb.	Blackplate.	Blackplate.
47. Sodium sulfide.	100% 1942.	25-lb.	Blackplate.	Blackplate.
48. Soldering pastes and boiler sealing compounds.	100% 1942.	Any size.	Blackplate.	Blackplate.
49. Zinc chloride.	100% 1942.	25-lb.	Blackplate.	Blackplate.
50. Dangerous chemicals for shipment in compliance with Interstate Commerce Commission regulations when a metal can is required by such regulations and no alternate package is permitted.	100% 1942.	Any size.	Blackplate.	Blackplate.

INTERPRETATION 1

Frozen tinplate, terneplate or blackplate means only tinplate, terneplate or blackplate which, since prior to December 9, 1942, has been held in the inventory of a can manufacturer (or in the inventory of a supplier of such plate, having been produced for the account of a can manufacturer) because it had been so processed, or was of such size, gauge or grade, that it was not suitable for the manufacture of cans for which tinplate, terneplate or blackplate are specified, without qualifications, in the "Can Material" columns of the schedules attached to the said order. (Issued February 22, 1943.)

[F. R. Doc. 43-9197; Filed, June 7, 1943; 11:57 a. m.]

PART 3270—CONTAINERS

[Conservation Order M-261 as Amended June 7, 1943]

STRAPPING FOR SHIPPING CONTAINERS

NOTE: Part 3136 transferred to Part 3270 June 7, 1943.

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of strapping for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3270.9 Conservation Order M-261—(a) Definition. "Strapping" means any

iron, steel or other metal wire or band reinforcements or closures, twelve (12) inches or more in length, for shipping containers excepting: metal for barrel hoops, stitching, baling of compressed material, fastening of material or filled containers into bundles, or for fastening or blocking of material to skids or in vehicles or vessels.

(b) Restriction on use of strapping. No person shall use commercially any strapping on shipping containers unless:

(1) The weight of the container and contents exceeds ninety pounds, or

(2) The net weight of the contents of the container exceeds .058 pounds per cubic inch, or

(3) Use of the strapping is required by regulation or order of the Interstate Commerce Commission, or

(4) The container for which the strapping is used, and its contents, are to be delivered to or for the account of the Army, Navy, Maritime Commission, or War Shipping Administration, and the strapping is required by such agency, or

(5) The shipment is for delivery outside of both the United States and Canada, or

(6) The strapping is for any of the following containers, provided the strapping is essential to the safe delivery of the contents and has been customarily used for the same type of shipment and container:

(i) Wooden or fibre containers containing fruits, vegetables, meats, fish, or poultry.

(ii) Wooden containers containing plumbing supplies or fixtures, made of vitreous china.

(7) The strapping is for wooden lard or butter tubs, and wooden buckets or pails, or

(8) Use of strapping by railroad companies or truckers is required by them to reinforce containers damaged in transit.

(9) The strapping is for closing fibre drums or hexagonal or octagonal fibre containers.

NOTE: Paragraph (9) redesignated June 7, 1943.

(c) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(d) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds for appeal.

(e) *Records.* All persons affected by this order shall keep for at least two years records concerning inventory, production, purchases and sales, and shall make reports on same if required.

(f) *Communications.* All reports required to be filed hereunder and all communications concerning this order or any schedule issued supplementary hereto shall, unless otherwise directed, be addressed to War Production Board, Containers Division, Washington, D. C., Ref.: M-261.

(g) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control

and may be deprived of priorities assistance.

Issued this 7th day of June 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-8191; Filed, June 7, 1943;
11:56 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-320]

LEVENTHAL FURNITURE CO.

Leventhal Furniture Company is a partnership composed of Harry, Lena, Yvette and Marylenn Leventhal, engaged in the retail furniture business at 625 East Main Street, Bridgeport, Connecticut. It sells stoves as well as other kinds of furniture. Between April 16 and October 1, 1942, it sold and delivered stoves in violation of General Limitation Order L-79, in some instances making deliveries without any certificates and in other instances upon A-10 rating certificates under Preference Order P-84, antedated and improperly executed. It also failed to preserve its records as required by General Limitation Order L-79 and Preference Order P-84; this failure to comply with these Orders resulted in certificates being lost or misplaced in its files and being later in some instances replaced by certificates inapplicable to the transaction. These actions of the Leventhal Furniture Company involved such gross negligence that they are sufficient to constitute wilful violations of General Limitation Order L-79 and Preference Order P-84.

These violations of General Limitation Order L-79, and Preference Order P-84 as amended have diverted scarce materials to uses not authorized by the War Production Board and have impeded and hampered the war effort of the United States. In view of the foregoing facts, *It is hereby ordered, That:*

§ 1010.320 Suspension Order S-320.

(a) Harry Leventhal, Lena Leventhal, Yvette Leventhal and Marylenn Leventhal and any of them doing business under the name of Leventhal Furniture Company or under any other name, their successors or assigns, shall not directly or indirectly, buy, order, receive, or accept delivery of any metal plumbing equipment or metal heating equipment, as the same are defined by General Limitation Order L-79 as amended, except as specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Harry Leventhal, Lena Leventhal, Yvette Leventhal and Marylenn Leventhal and any of them doing business under the name of Leventhal Furniture Company or under any other name, their successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on June 9, 1943, and shall expire October 9, 1943, at which time the restrictions contained in this order shall be of no further effect.

Issued this 7th day of June 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-9226; Filed, June 7, 1943;
5:06 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-339]

POLAR WATER CO.

Polar Water Company, Pittsburgh, Pennsylvania, is a bottler of Dad's Root Beer and other non-alcoholic beverages. During the period from June, 1942, through December, 1942, the Company used 4850 gross of closures in the bottling of such beverages in excess of the quotas it was permitted to use under Conservation Order M-104 and certain additional quotas which it had received by virtue of appeals to the War Production Board.

These violations of Conservation Order M-104 have hampered and impeded the war effort of the United States by diverting scarce materials to uses unauthorized by the War Production Board. In view of the foregoing, *It is hereby ordered, That:*

§ 1010.339 Suspension Order S-339.

(a) During the calendar quarter commencing July 1, 1943, and ending September 30, 1943, the amount of closures which Polar Water Company, its successors and assigns, would otherwise be entitled to use under the provisions of Conservation Order M-104 shall be reduced by the amount of 4850 gross.

(b) Nothing contained in this order shall be deemed to relieve Polar Water Company from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect July 1, 1943, and shall expire September 30, 1943.

Issued this 7th day of June 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-9227; Filed, June 7, 1943;
5:06 p. m.]

PART 940—RUBBER AND BALATA AND PRODUCTS AND MATERIALS OF WHICH RUBBER OR BALATA IS A COMPONENT

[Amtd. 4 to Supplementary Order M-15-b as Amended April 13, 1943]

Section 940.3 *Supplementary Order M-15-b as amended April 13, 1943* is hereby amended by amending paragraph (a) (3), (8) and (9) thereof to read as follows:

(3) "Scrap rubber product" means any finished product or part thereof except a "repairable tire" or "retreadable tire" as defined herein, made in whole or in part from rubber, or synthetic rubber which through wear, deterioration or obsolescence has served its purpose in its present state, but does not mean or include any product which is still usable for a primary purpose for which it was designed.

(8) "Repairable tire" means a pneumatic tire or tire casing which can be made serviceable for a use for which it was designed, by means of either temporary repair (insertion of a reliner or temporary patches) or permanent repair (vulcanized sectional repairs, vulcanized reinforcements or vulcanized spot repairs which can be made in accordance with recognized commercial practice and which reasonably can be expected to render satisfactory and safe service under present limited operating conditions). A tire does not warrant permanent repair when the tire body has:

(i) Tread and sidewalls checked or cracked to the extent that the tire has more than two radial cracks which extend through the cord body;

(ii) Separation between the plies;

(iii) More than three injuries, any one of which exceeds $\frac{1}{2}$ the cross sectional diameter of the tire, requiring sectional or reinforcement repairs;

(iv) Injuries below the point where the top of the rim flange makes contact with the tire, or bead areas which show any broken wires.

(9) "Treadable tire" means a pneumatic tire or tire casing which warrants retreading or recapping in accordance with recognized commercial practice and which can be reasonably expected to render satisfactory and safe service under present limited operating conditions. A tire does not warrant retreading or recapping when the tire cord body:

(i) Is worn through more than one body ply for a total length of more than four inches on four ply tires, or through more than two plies for a total length of more than four inches on tires of six plies or more;

(ii) Shows evidence of having had more than two injuries, any one of which exceeds $\frac{1}{3}$ the cross sectional diameter of the tire requiring sectional or reinforcement repairs;

(iii) Has more than three radial cracks of more than one inch in length extending to the cord body.

Issued this 8th day of June 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-9272; Filed, June 8, 1943;
11:17 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 19, Amdt. 1]

FARM SUPPLIES

a. The list of farm supplies in paragraph (j) of § 944.40 *Priorities Regulation 19* is amended:

18 F.R. 7310.

1. By changing the item "copper wire" to read:

Copper wire, insulated, up to 75 ft. in length, but not for household use.

2. By changing the item, "pipe" to read:

Pipe of the following kinds:
Standard black or galvanized merchant pipe, $3\frac{1}{2}$ " O. D. and under.
Well casing.

3. By adding two more items:

Drawn wire.
Poultry flooring.

b. The item "poultry flooring" is added in paragraph (e) to the farm supplies which a dealer cannot get by using farmers' certificates.

Issued this 8th day of June 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-9273; Filed, June 8, 1943;
11:18 a. m.]

PART 1055—WOOL

[General Conservation Order M-73, as Amended June 8, 1943]

Section 1055.1 *Conservation Order M-73* is hereby amended to read as follows:

§ 1055.1 *Conservation Order M-73—*
(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purpose of this order:

(1) "Wool" means the fiber from the fleece of the sheep or lamb, or the hair of the Cashmere goat, camel, alpaca, llama, vicuna, and related fibers, including carpet wool, but does not include mohair, noils, waste, tanners' wool waste, reprocessed or reused wool, or yarn or cloth;

(2) "Waste" means the by-product resulting from carding, combing, spinning and subsequent operations on any system, but does not include the by-product resulting from scouring and carbonizing operations;

(3) "Put into process" means:

(i) On the worsted system, the first operation of drawing after combing;

(ii) On any other system using tops, cut tops or broken tops, the first operation of cutting, breaking, picking or carding, as the case may be;

(iii) On the woolen, felt, or any other system not using tops, the first operation after scouring, carbonizing, dusting or similar cleaning or preparatory process;

(4) "Basic quarterly poundage" means one-half of the number of pounds of wool, as herein defined, and mohair, either kid or adult, owned by a person and put into process by or for him on any single system of manufacture during the base period. Such base period for this purpose means either from December 29, 1940 through June 28, 1941, or from January 1, 1941 through June 30, 1941, according to the method of keeping production records maintained during such

period. Such poundage shall be determined as follows:

(i) On the worsted system or any other system using tops, the weight of tops put into process at 15 per cent moisture regain, and $3\frac{1}{4}$ per cent of oil and natural fats;

(ii) On the woolen system, scoured wool and mohair, either kid or adult, at 12 per cent moisture content;

(iii) On the felt or any other system, the weight of wool and mohair, either kid or adult in the state immediately preceding putting into process.

(c) *Curtailment of use of wool for non-defense orders.* No person shall put into process any wool except to fill defense orders, or as specifically permitted by this order.

(d) *Further restrictions.* No producer of yarns or cloth made of wool, part wool, mohair, noils, waste, tanners' wool waste, or reprocessed or reused wool, shall produce, sell or deliver such yarns or cloth contrary to any specific direction which may be issued from time to time by the War Production Board, and no person shall accept such yarns or cloth knowing the same to have been produced, sold or delivered contrary to such direction.

(e) *Quota for worsted system.* Any person having a basic quarterly poundage on the worsted system shall be entitled to put into process, during the period May 3, 1943 through July 31, 1943, an amount of wool owned by him not in excess of 70% of such basic quarterly poundage, or 5,000 pounds, whichever is higher, for the manufacture of yarns and cloth, not restricted by paragraph (j), of any wool content.

(f) *Quota for woolen and other systems.* Any person having a basic quarterly poundage on the woolen, cotton, felt, or any other than the worsted system, shall be entitled to put into process, during the period May 3, 1943 through July 31, 1943, an amount of wool owned by him not in excess of 50% of such basic quarterly poundage or 5,000 pounds, whichever is higher, for the manufacture of yarns and cloth, not restricted by paragraph (j), of any wool content.

(g) *Quota for manufacturers of floor covering.* Any person having a basic quarterly poundage calculated from wool put into process for the manufacture of floor covering shall be entitled to put into process, during the period May 3, 1943 through July 31, 1943, an amount of wool owned by him not in excess of 25% of such basic quarterly poundage, for the manufacture of yarns or cloth, not restricted by paragraph (j), of any wool content.

(h) *Carry-over of unused portions of quotas.* Any amounts of wool which a person was entitled to put into process for non-defense orders, in all or any part of the period August 3, 1942 through May 2, 1943, pursuant to General Conservation Order, M-73 (excluding additional allotments for use in knitted wear and special grants pursuant to appeals), and which have not been put into process by May 2, 1943, may be carried over to the period May 3, 1943 through July 31, 1943, and operate to increase the corresponding quota of the latter period to that extent.

(i) *Continuation of order.* In the absence of an amendment to this order

providing differently, the same applicable quotas, provided in paragraphs (e), (f) and (g), shall be effective with respect to each of the periods:

(1) August 1, 1943 through October 30, 1943; and

(2) October 31, 1943 through January 29, 1944.

Carry-over privileges shall also apply, but shall be limited in the case of each such period to the portion of the specific applicable quota or quotas, provided in paragraphs (e), (f) and (g), not put into process:

(3) In the period May 3, 1943 through July 31, 1943, for carry over to the period August 1, 1943 to October 30, 1943; and

(4) In the period August 1, 1943 through October 30, 1943, for carry-over to the period October 31, 1943 through January 29, 1944.

(j) *Restrictions on use of certain types of wool for certain products.* No person shall put into process:

(1) Any wool other than carpet wool for the manufacture of any drapery, upholstery fabrics, or floor covering;

(2) Any alpaca, llama, huarizo, or tops therefrom, except pieces and locks, or use the same, except for the manufacture of yarns or cloth to be delivered to or for the account of, or to be physically incorporated into material or equipment to be delivered to or for the account of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration.

(k) *Defense orders filled out of inventory.* The filling of a defense order out of stocks on hand, which stocks were not manufactured on defense order, shall operate to increase the amount of wool which a person may put into process on non-defense order in the period in which such defense order is filled, to the extent of the amount of wool contained in the yarns and cloth used to fill such defense order.

(l) *Prohibition against sales or deliveries.* No person shall sell, deliver, or accept any material if he knows, or has reason to believe, such material is to be used in violation of this order.

(m) *Fair distribution of yarns and cloth.* It is hereby declared to be the policy of the War Production Board that yarns and cloth made of wool, part wool, mohair, noils, waste, tanners' wool waste, or reprocessed or reused wool, shall be distributed equitably and that no person shall discriminate, in the acceptance of, or filling of orders, or the making of sales or deliveries, as between customers who meet his established prices, terms and conditions of sale. Upon complaint of any person or without such complaint, the War Production Board may investigate any case of supposed failure of any person to make distribution equitably, and may issue such instructions as are necessary to obtain equitable distribution.

(n) *General exceptions.* The restrictions of this order shall not apply to any person, except with respect to paragraph (d), to the extent that such person puts wool into process for the making of wool products entirely by hand, in-

cluding the spinning and weaving of the cloth.

(o) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal. Upon appeal, a quota or adjusted quota may be given to persons owning machinery for putting wool into process, to enable them to use such machinery and any subsequently acquired machinery to produce such yarns or cloth as may be directed in writing by the War Production Board.

(p) *Violations.* Any person who willfully violates any provision of this order, or who in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(q) *Reports and records.* (1) Every person who puts wool into process shall file with the War Production Board a report on Form WPB-2857 (formerly Form PD-274), setting forth the information required therein. Every person having stocks of wool shall file reports on WPB-295 and/or WPB-370 setting forth the information required therein. Every person making wool and part wool, woven and knitted cloth and yarns, shall file with the War Production Board a report on Form WPB-1420, setting forth the information required therein. Every person who owns machinery for the putting into process of, or for the making of wool or part wool woven and knitted cloth and yarns, shall file with the War Production Board a report on Form WPB-2640, setting forth the information required therein.

(2) Every person who puts wool into process shall keep and preserve such records as will clearly and adequately show their methods and amounts of consumption hereunder.

(r) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington, D. C., Reference: M-73.

Issued this 8th day of June 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-9274; Filed, June 8, 1943;
11:17 a. m.]

PART 1198—GLASS CONTAINER AND CLOSURE SIMPLIFICATION

[Limitation Order L-103 as Amended June 8, 1943]

§ 1198.1 *Limitation Order L-103—(a)*
Applicability of regulations. This order

and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(b) *Definitions.* For the purposes of this order:

(1) "Glass container" means any machine made bottle, jar, or tumbler which is made of glass and which is suitable for packing any product.

(2) "Closure" means any sealing or covering device affixed or to be affixed to a glass container for the purpose of retaining the contents within the container.

(3) "Finish" of a glass container means the configuration of the neck or opening which serves to engage specific parts of the closure in order to affix it to the glass container.

(4) "Design" of a glass container means the particular shape, weight, size, capacity, and contour of the body of such container (other than the finish), and shall include any lettering or decoration molded thereon, except the container manufacturers' identification marks.

(5) A "design in existence" means a design for which one or more molds have been cast and is further limited to the exact size and capacity of container produced therefrom.

(6) Any specification which refers to or includes the letters "G. C. A." means a specification (including the tolerances recognized with respect to such specification) issued by the Glass Container Association of America and in effect on May 11, 1942.

(7) "Exhibit" refers to the particular specifications set forth opposite an exhibit number (e. g. 10-40; 10-75; 50-23, etc.) as applied to the shape or contour appearing on the drawing, attached to this order, in connection with which such exhibit is listed. Any applicable footnotes appearing on said drawing shall be deemed to be incorporated in such specifications.

(c) *Issuance of schedules of simplification of lines.* The War Production Board may from time to time issue schedules establishing simplification practices with respect to the designs and/or finishes of glass containers for specific products. From and after the date of issuance of any such schedule no such containers shall be manufactured or used contrary to the provisions of such schedule, *Provided, however,* That

(1) Subject to the provisions of subparagraph (2) of this paragraph (c), nothing in this order or any schedule hereof shall prevent the manufacture, sale, delivery or use, for the packaging of any product, of any glass container which differs from any standard glass container established for such product by any schedule solely by reason of:

(i) The location of indented or other label space;

(ii) The degree of curvature of the shoulder and heel of the container;

(iii) The amount and location of any lettering which indicates capacity only;

(iv) A difference in height or weight when such difference does not exceed 5 percent of the height or weight shown for the applicable standard glass container;

(v) The existence or location of stippling or fluting.

(2) No person shall manufacture, sell, deliver or use any glass container pursuant to the provisions of subparagraph (1) of this paragraph (c) unless

(i) Such glass container is manufactured within nine months after the date as of which the product for which it is to be used was first referred to in any schedule of this order. (For reference purposes the "cut off" date applicable to glass containers for each such product in accordance with this paragraph (c) (2) (i) is listed in Table I, annexed hereto.)

(ii) Such glass container is manufactured from a mold which was actually in existence prior to the date of issuance of any applicable schedule; and

(iii) The design of such glass container has been submitted to the War Production Board, Washington, D. C., Ref. L-103, and approved as within the exemption provided by subparagraph (1) of this paragraph (c).

(d) *Exhibits.* The exhibits listed on the drawings attached to this order shall have no application except as they are specifically referred to in this order or are established as standard glass containers by the provisions of any schedule issued pursuant to paragraph (c) hereof.

(e) *Freezing of all glass container designs not established as standards pursuant to any schedule of this order.* No person shall manufacture a glass container except:

(1) Where the design of such container was in existence on May 11, 1942; or, failing this, where any variations from a design then in existence have been effected by alterations of molds in existence on or before May 11, 1942.

(2) Where the design of such container corresponds to any exhibit attached to this order.

(3) Where the design of such container has been submitted by any person to the War Production Board, Washington, D. C., Ref. L-103, and approved under one of the following conditions:

(i) When no suitable glass container exists for packing a product not previously packed in glass;

(ii) When it is necessary to design a special glass container in order that it can be used on an existing filling or packing line.

(4) Nothing in subparagraphs (1), (2) or (3) of this paragraph (e) shall be deemed to permit the manufacture or use of glass containers contrary to the provisions of any schedule issued pursuant to paragraph (c) of this order.

(f) *Allowance of normal operating tolerances.* (1) Nothing in this order or any schedule hereof shall

(i) Prevent variations in the design or finish of a glass container within the limits of normal operating tolerances.

(ii) Prohibit the usual differences in glass container design when manufactured on glass container machinery of different types.

(g) *Interchangeable finishes.* (1) Unless specifically stated to the contrary in any schedule, nothing in this order or any schedule hereof shall prevent the interchange of finishes on glass containers described in an exhibit attached to this order, *Provided:*

(i) Such interchange can be effected without alteration of the specified body mold; and

(ii) The interchanged finish is no greater in diameter than that appearing on the exhibit for the body design to which it is to be applied, or, if another type of finish is used, no larger than the corresponding size of that type of finish.

(iii) The capacity resulting from such interchange is no less than the capacity shown in the applicable exhibit.

(2) Nothing in this order or any schedule hereof shall prevent the modification of the weight, height, or capacity of a glass container described in any exhibit of this order to the minimum extent required by any interchange of finishes in accordance with the conditions of subparagraph (1) of this paragraph (g).

(h) *Extent of prohibitions against replacement of molds.* (1) Whenever any provision of this order or any schedule hereof prohibits the replacement of existing molds, such prohibition shall extend to the body mold only and shall not be deemed to prohibit the use of new neck rings nor new blank molds or other equipment necessary for use with a body mold.

(i) *Export.* Nothing in this order or any schedule hereof shall affect the manufacture, sale or delivery of glass containers intended to be shipped outside of the forty-eight states of the United States and the District of Columbia: *Provided,* That the said glass containers are made from molds in existence on or before May 11, 1942.

(j) *Miscellaneous provisions.*—(1) *Appeal.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order,

wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Containers Division, Washington, D. C., Ref. L-103.

Issued this 8th day of June 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

TABLE I

NOTE: Table I added June 8, 1943.

Products for which standard glass containers have been established	Applicable cut-off date pursuant to paragraph (c) (2) (i)
Distilled spirits.....	Feb. 11, 1943
Malt beverages.....	Feb. 11, 1943
Fruit Butter.....	June 12, 1943
Preserves.....	June 12, 1943
Jelly.....	June 12, 1943
Wines.....	June 12, 1943
Protective coatings.....	Sept. 7, 1943
Salad dressings (including products using salad dressing as a base).....	Jan. 5, 1944
Olive oil.....	Jan. 5, 1944
Edible oils (other than olive oil).....	Jan. 5, 1944
Shortenings.....	Jan. 5, 1944
Maple syrup.....	Jan. 5, 1944
Syrups (except chocolate and maple) including blended, bottlers, cane, corn, molasses, sorghum, malt, and fountain syrups.....	Jan. 5, 1944
Chocolate syrup.....	Jan. 5, 1944
Tomato catsup.....	Jan. 5, 1944
Chili sauce and cocktail sauce.....	Jan. 5, 1944
Tomato paste (not less than 25% by weight dry tomato solids).....	Jan. 5, 1944
Tomato pulp and puree (not less than 10.7% (specific gravity 1.045) or more than 25% by weight dry tomato solids).....	Jan. 5, 1944
Vinegar.....	Jan. 5, 1944
Fruits and vegetables and mixtures thereof, including ripe olives, but excluding cranberries and maraschino cherries.....	Jan. 5, 1944
Honey.....	Jan. 5, 1944
Pickles and relishes.....	Jan. 5, 1944
Peanut butter.....	Jan. 5, 1944
Fruit and vegetable juices and mixtures thereof.....	Jan. 5, 1944
Olives, green.....	Jan. 5, 1944
Maraschino cherries.....	Jan. 5, 1944
Cranberries and cranberry sauce.....	Jan. 5, 1944
Pectin, liquid.....	Jan. 5, 1944

PLAIN ROUND JAR

EXHIBIT SERIES 10-00

DRAWING NO. 1—PLAIN ROUND JAR

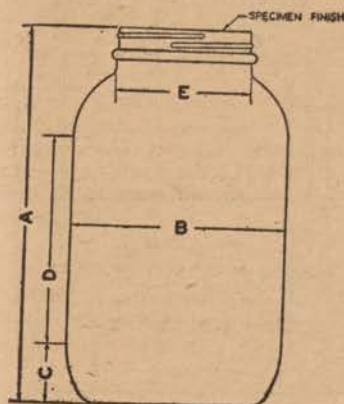
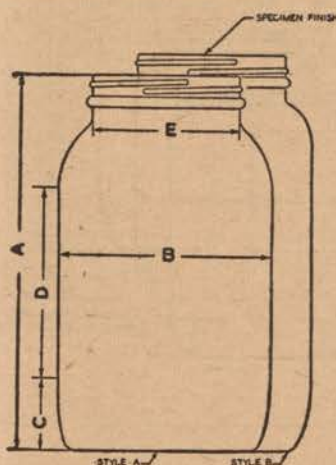


Exhibit No.	Overflow capacity, ounces	Maximum weight, ounces	A	B, maximum	C	D	E	G. C. A. finish No.
10-14.....	4 1/4	3 3/4	3 3/4	2 3/4	3 3/4	1 4/8	1 4/8	48-400
10-20.....	6 1/4	4 3/4	3 5/8	2 1/8	3 3/4	2 1/8	1 3/8	53-400
10-26.....	8 3/8	6	4 3/8	2 3/8	1 1/8	2 3/8	1 3/8	53-400
10-27.....	8 3/8	6	4 3/8	2 3/8	1 1/8	2 3/8	2 1/8	58-400
10-28.....	8 3/8	6	4 1/4	2 1/4	3/8	2 3/8	2 1/8	58-400
10-36.....	11 1/2	7 1/2	4 3/8	2 3/8	4 3/8	2 1/8	2 1/8	58-400
10-39.....	12 1/2	7 1/2	4 7/8	2 3/8	4 3/8	2 1/8	1 3/8	53-400
10-40.....	12 1/2	7 1/2	4 7/8	2 3/8	4 3/8	2 1/8	2 1/8	58-400
10-48.....	15 1/2	8 1/2	5 1/8	3 1/8	1 3/8	2 1/8	2 3/8	63-400
10-51.....	16 1/2	9	5 7/8	3 1/8	2 7/8	2 3/8	2 3/8	63-400
10-52.....	17	9 1/4	5 1/4	3 1/8	2 7/8	2 3/8	2 3/8	63-400
10-53.....	18 1/8	9 1/2	5 3/8	3 3/8	2 7/8	2 3/8	2 3/8	63-400
10-60.....	22 3/4	11 1/2	5 3/8	3 1/2	1 5/8	3 1/8	2 3/8	63-400
10-63.....	24 1/2	11 3/4	5 3/4	3 3/8	3 1/8	3 1/8	2 3/8	63-400
10-67.....	27 1/2	13	6 1/4	3 7/8	1	3 3/8	2 3/8	63-400
10-72.....	31	13 3/4	6 3/4	3 3/8	1 1/2	3 3/8	2 3/8	63-400
10-75.....	32 3/8	14	6 3/4	3 7/8	1 1/8	3 3/8	2 3/8	63-400
10-77.....	34	14 1/2	6 3/4	3 7/8	1 3/8	3 3/8	2 3/8	63-400
10-81.....	48 3/4	20 1/2	7 1/4	4 3/8	1 1/4	4 1/8	2 3/8	70-400

NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the "B" dimension.
3. Profiles similar to that illustrated shall be maintained for the above exhibits consistent with the "C" and "D" dimensions.
4. Container shall be round.
5. Bottom stippling optional.

DRAWING NO. 2—PLAIN ROUND QUART JAR



PLAIN ROUND QUART JAR

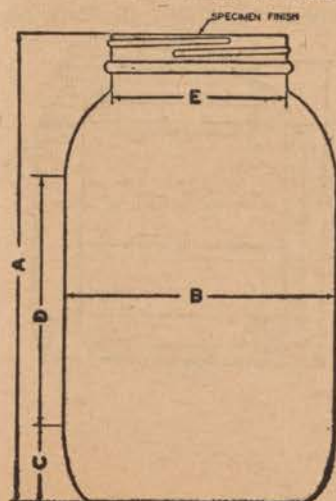
EXHIBIT SERIES 11-00

Exhibit No.	Style	Overflow capacity, oz.	Maximum weight, oz.	A	B max.	C	D	E	G. C. A. finish No.
11-75.....	A	32 3/4	14	6 3/4	3 3/8	1 5/8	3 7/8	2 3/8	70-400
11-76.....	B	32 3/8	14 1/2	7 3/4	3 3/8	1 3/8	4 1/4	2 3/8	70-400

NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used adjustment to make correct capacity shall be made in the "B" dimension.
3. The profiles illustrated shall be maintained for the above exhibits.
4. Container shall be round.
5. Bottom stippling optional.

DRAWING NO. 3—LARGE SIZE JAR



LARGE SIZE JAR

EXHIBIT SERIES 12-00

Exhibit No.	Size	Overflow capacity, oz.	Maximum weight, oz.	A	max. B	C	D	E	G. C. A. finish No.
12-88.....	1/2 gal.	65 1/4	28	8 3/8	4 2/8	1 3/8	4 1/2	3 1/8	83-400
12-91.....	No. 10	105 3/8	37	9 3/8	6 1/4	1 1/2	4 1/2	3 1/8	83-400
12-96.....	1 gal.	130 1/2	46	10 1/8	6 3/4	1 3/4	5 1/8	3 3/8	89-400

NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the "B" dimension.
3. Profiles similar to that illustrated shall be maintained for the above exhibits consistent with the "C" and "D" dimensions.
4. Container shall be round.
5. Bottom stippling optional.

WIDE MOUTH PAIL

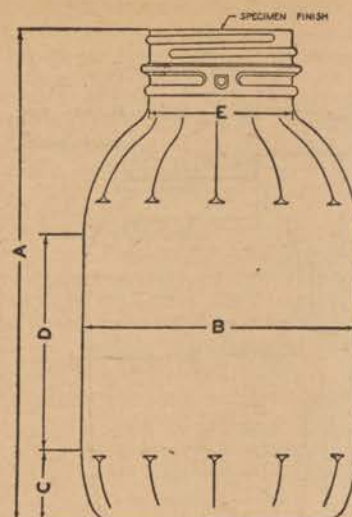
EXHIBIT SERIES 14-00

Exhibit No.	Size	Overflow capacity, oz.	Maximum weight, oz.	A	B, max.	C	D	E	G. C. A. finish No.
14-85	5 lb.	58½	24	59½	41½	13½	4½	2½	G-450
14-87	½ gal.	66	26	52½	53½	13½	4½	2½	G-450
14-90	No. 10	103	35	10	57½	13½	4½	2½	G-450
14-92	10 lb.	116	41	103½	63½	13½	4½	2½	G-450
14-96	1 gal.	132	44	105½	61½	13½	4½	2½	G-450

NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the "B" dimension.
3. Profiles similar to that illustrated shall be maintained for the above exhibits consistent with the "C" and "D" dimensions.
4. Stippling may be substituted for fluting in the decorated areas shown at shoulder and heel. Containers shall be either fluted or stippled, never plain.
5. Container shall be round.
6. Bottom stippling optional.

DRAWING NO. 4—WIDE MOUTH PAIL



VEGETABLE AND FRUIT JAR

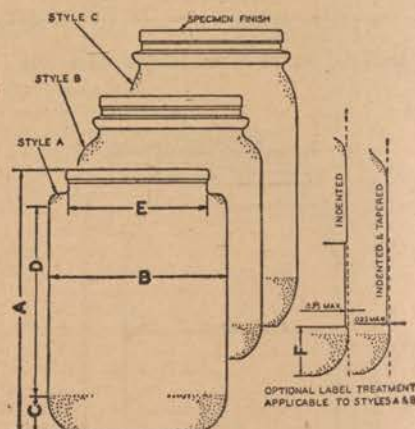
EXHIBIT SERIES 15-00

Exhibit No.	Style	Overflow capacity, oz.	Maximum weight, oz.	A	B, max.	C	D	E	G. C. A. finish No.
15-50	A	17	7½	41½	31½	23½	3½	2½	66 mm.
15-51	B	17	8	41½	31½	23½	2½	2½	66 mm.
15-52	C	17	8½	51½	37½	34	3	2½	66 mm.
15-58	A	28½	12	47½	45½	29½	3½	3½	83 mm.
15-59	B	28½	13	47½	45½	34	2½	3½	83 mm.
15-70	C	28½	13½	61½	57½	57½	3½	3½	83 mm.

NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the "B" dimension.
3. Profiles similar to those illustrated shall be maintained for the above exhibits consistent with the "C", "F" and "D" dimensions.
4. Style "C" shall be straight sided only. Styles "A" and "B" may be straight sided or, with 2½" minimum and 1½" maximum for the "F" dimension. The label space may be indented or tapered as shown.
5. Shoulder and heel stippling as indicated is optional.
6. Container shall be round.
7. Bottom stippling optional.

DRAWING NO. 5—VEGETABLE AND FRUIT JAR



25½ OZ. JUICE JAR

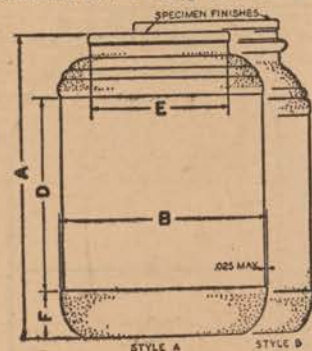
EXHIBIT SERIES 16-00

Exhibit No.	Style	Overflow capacity, oz.	Maximum weight, oz.	A	B, max.	F	D	E	G. C. A. finish No.
16-64	A	25½	11	57½	33½	27½	3½	2½	66-mm.
16-65	B	25½	11½	59½	38½	27½	3½	2½	66-mm.

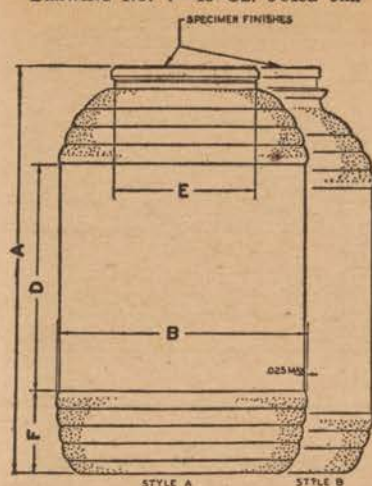
NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the "B" dimension.
3. The profiles illustrated shall be maintained for the above exhibits. A label recess must be maintained.
4. Shoulder and heel of jar shall be stippled as indicated.
5. Container shall be round.
6. Bottom stippling optional.

DRAWING NO. 6—25½ OZ. JUICE JAR



DRAWING NO. 7—49 OZ. JUICE JAR



49 OZ. JUICE JAR

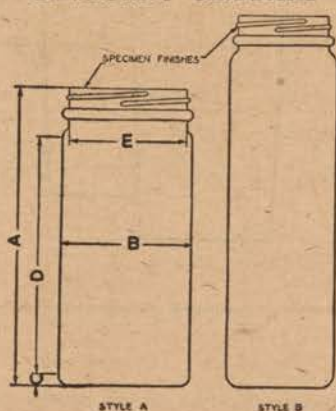
EXHIBIT SERIES 16-00

Exhibit No.	Style	Overflow capacity, oz.	Maximum weight, oz.	A	B, max.	F	D	E	G. C. A. finish No.
16-80.....	A	49	20	7 $\frac{13}{32}$	4 $\frac{13}{32}$	1 $\frac{1}{2}$	4 $\frac{5}{32}$	2 $\frac{1}{2}$	66-mm.
16-81.....	B	49	20	7 $\frac{13}{32}$	4 $\frac{1}{2}$	1 $\frac{1}{16}$	4 $\frac{5}{32}$	2 $\frac{3}{8}$	66-mm.

NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the "B" dimension.
3. The profiles illustrated shall be maintained for the above exhibits. A label recess must be maintained.
4. Shoulder and heel of jar shall be stippled as indicated.
5. Container shall be round.
6. Bottom stippling optional.

DRAWING NO. 8—OLIVE BOTTLE



OLIVE BOTTLE

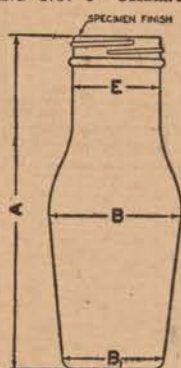
EXHIBIT SERIES 17-00

Exhibit No.	Style	Overflow capacity, oz.	Maximum weight, oz.	A	B, max.	C	D	E	G. C. A. finish No.
17-22.....	A	61 $\frac{1}{16}$	65 $\frac{1}{2}$	44 $\frac{9}{64}$	29 $\frac{1}{4}$	9 $\frac{3}{32}$	32 $\frac{1}{32}$	11 $\frac{1}{16}$	53-400
17-26.....	A	8 $\frac{3}{4}$	8 $\frac{1}{16}$	52 $\frac{1}{64}$	2 $\frac{1}{4}$	9 $\frac{3}{32}$	42 $\frac{3}{32}$	2 $\frac{3}{8}$	58-400
17-38.....	A	12 $\frac{3}{8}$	10	61 $\frac{1}{4}$	21 $\frac{7}{32}$	5 $\frac{1}{16}$	42 $\frac{3}{32}$	2 $\frac{3}{8}$	58-400
17-50.....	A	16 $\frac{1}{8}$	11 $\frac{1}{4}$	64 $\frac{1}{64}$	23 $\frac{3}{32}$	1 $\frac{1}{32}$	57 $\frac{3}{32}$	2 $\frac{3}{8}$	63-400
17-56.....	A	20 $\frac{1}{8}$	14 $\frac{1}{8}$	71 $\frac{1}{8}$	21 $\frac{1}{16}$	3 $\frac{1}{8}$	51 $\frac{1}{8}$	2 $\frac{3}{8}$	63-400
17-76.....	A	32 $\frac{3}{8}$	14 $\frac{3}{4}$	72 $\frac{3}{32}$	31 $\frac{3}{32}$	7 $\frac{1}{16}$	57 $\frac{1}{8}$	2 $\frac{3}{8}$	63-400
17-09.....	B	21 $\frac{1}{2}$	3 $\frac{3}{4}$	37 $\frac{1}{2}$	11 $\frac{9}{32}$	3 $\frac{1}{16}$	22 $\frac{3}{32}$	1 $\frac{3}{8}$	38-400
17-11.....	B	3 $\frac{1}{2}$	4 $\frac{3}{8}$	51 $\frac{1}{4}$	19 $\frac{1}{8}$	3 $\frac{1}{16}$	38 $\frac{9}{64}$	1 $\frac{3}{8}$	38-400
17-17.....	B	5 $\frac{3}{8}$	5 $\frac{1}{4}$	51 $\frac{1}{16}$	13 $\frac{1}{8}$	7 $\frac{1}{32}$	48 $\frac{1}{64}$	11 $\frac{1}{32}$	43-400
17-23.....	B	77 $\frac{1}{16}$	78 $\frac{1}{2}$	62 $\frac{3}{32}$	18 $\frac{1}{64}$	1 $\frac{1}{4}$	52 $\frac{1}{64}$	13 $\frac{1}{4}$	48-400
17-33.....	B	10 $\frac{1}{4}$	10 $\frac{1}{4}$	77 $\frac{1}{16}$	21 $\frac{1}{8}$	9 $\frac{3}{32}$	61 $\frac{1}{64}$	11 $\frac{1}{16}$	53-400

NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the "B" dimension.
3. Profiles similar to those illustrated shall be maintained for the above exhibits consistent with the "C" and "D" dimensions.
4. Container shall be round.
5. Bottom stippling optional.

DRAWING NO. 9—CHERRY BOTTLE



CHERRY BOTTLE

EXHIBIT SERIES 18-00

Exhibit No.	Overflow capacity, oz.	Maximum weight, oz.	A	B, max.	B1, max.	E	G. C. A. finish No.
18-08.....	21 $\frac{1}{16}$	4 $\frac{1}{8}$	49 $\frac{1}{8}$	14 $\frac{3}{64}$	12 $\frac{3}{64}$	1 $\frac{3}{8}$	38-400
18-14.....	47 $\frac{1}{16}$	5 $\frac{1}{8}$	52 $\frac{3}{64}$	16 $\frac{3}{64}$	11 $\frac{1}{8}$	1 $\frac{3}{8}$	38-400
18-22.....	7	6 $\frac{1}{4}$	6	22 $\frac{3}{64}$	13 $\frac{1}{8}$	11 $\frac{7}{32}$	43-400
18-42.....	13 $\frac{1}{2}$	13 $\frac{1}{2}$	87 $\frac{1}{4}$	21 $\frac{1}{16}$	21 $\frac{1}{8}$	11 $\frac{1}{16}$	53-400
18-62.....	24 $\frac{1}{4}$	20 $\frac{1}{2}$	101 $\frac{1}{8}$	39 $\frac{3}{32}$	23 $\frac{3}{64}$	11 $\frac{1}{16}$	53-400

NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the "B" and "B1" dimensions.
3. Profiles similar to that illustrated shall be maintained for the above exhibits.
4. Container shall be round.
5. Bottom stippling optional.

SHORTENING JAR

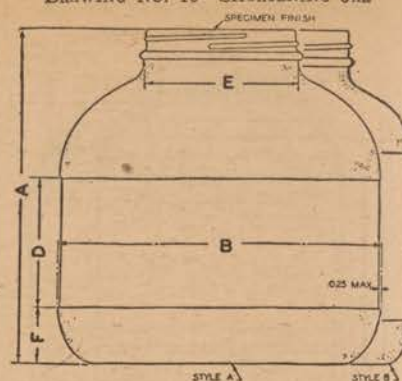
EXHIBIT SERIES 19-00

Exhibit No.	Style	Overflow capacity, oz.	Maximum weight, oz.	A	B, maximum	F	D	E	Finish size
19-57.....	A	20	10	4 $\frac{1}{4}$	3 $\frac{59}{64}$	$\frac{1}{2}$	11 $\frac{1}{16}$	3 $\frac{1}{8}$	83-400
19-85.....	A	58 $\frac{9}{16}$	24	6	5 $\frac{1}{4}$	1	2 $\frac{1}{2}$	3 $\frac{1}{8}$	83-400
19-58.....	B	20	11 $\frac{1}{2}$	4 $\frac{1}{4}$	3 $\frac{25}{32}$	$\frac{1}{4}$	2 $\frac{1}{2}$	3 $\frac{1}{8}$	89-400
19-86.....	B	58 $\frac{9}{16}$	24	6	5 $\frac{59}{64}$	1 $\frac{1}{4}$	3	3 $\frac{1}{8}$	89-400

NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the "B" dimension.
3. Profiles similar to that illustrated shall be maintained for the above exhibits consistent with the "F" and "D" dimensions. A label recess must be maintained.
4. Shoulder and heel of jar shall be stippled as indicated.
5. Container shall be round.
6. Bottom stippling optional.

DRAWING NO. 10—SHORTENING JAR



TUMBLERS

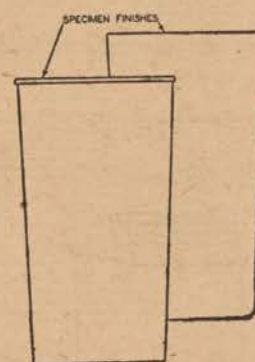
EXHIBIT SERIES 20-00

Exhibit No.	Overflow capacity, oz.	Capacity overflow, plus or minus, oz.	G. C. A. finish No., max.
20-13.....	3 $\frac{3}{4}$ to 4 $\frac{1}{4}$		14 58 mm.
20-16.....	4 $\frac{1}{4}$ to 5 $\frac{1}{4}$		14 63 mm.
20-19.....	5 $\frac{1}{4}$ to 6 $\frac{1}{4}$		14 63 mm.
20-20.....	6 $\frac{1}{4}$ to 6 $\frac{3}{4}$		14 63 mm.
20-23.....	7 to 7 $\frac{1}{2}$		14 68 mm.
20-26.....	8 to 8 $\frac{1}{2}$		14 68 mm.
20-30.....	9 $\frac{1}{4}$ to 9 $\frac{3}{4}$		14 68 mm.
20-32.....	9 $\frac{3}{4}$ to 10 $\frac{1}{4}$		14 73 mm.
20-39.....	11 $\frac{1}{4}$ to 12 $\frac{1}{4}$		14 73 mm.
20-44.....	13 $\frac{3}{4}$ to 14 $\frac{1}{4}$		14 80 mm.

NOTES

1. Container shall be round.
2. Bottom stippling optional.

DRAWING NO. 11—TUMBLERS



STUBBY ROUND BOTTLE

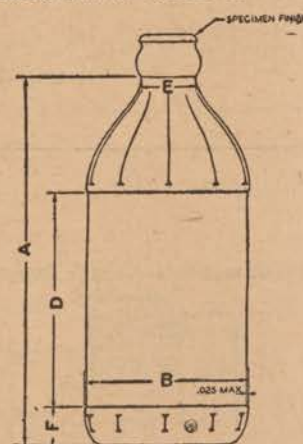
EXHIBIT SERIES 50-00

Exhibit No.	Overflow capacity, oz.	Maximum weight, oz.	A	B, max.	F	D	E	Finish size
50-08.....	2 $\frac{1}{4}$	3	3 $\frac{19}{32}$	1 $\frac{9}{32}$	$\frac{5}{8}$	2 $\frac{5}{32}$	1 $\frac{1}{16}$	20-400
50-14.....	4 $\frac{1}{4}$	4 $\frac{1}{4}$	4 $\frac{1}{4}$	1 $\frac{7}{8}$	$\frac{7}{16}$	2 $\frac{29}{32}$	1	26-2410
50-21.....	6 $\frac{19}{32}$	5 $\frac{1}{2}$	4 $\frac{19}{32}$	2 $\frac{5}{32}$	$\frac{1}{2}$	2 $\frac{27}{32}$	1	26-2410
50-28.....	8 $\frac{3}{4}$	6 $\frac{1}{2}$	5 $\frac{9}{32}$	2 $\frac{13}{32}$	$\frac{17}{32}$	3 $\frac{1}{16}$	1	26-2410
50-40.....	12 $\frac{3}{4}$	8 $\frac{1}{2}$	6 $\frac{5}{8}$	2 $\frac{11}{16}$	$\frac{9}{8}$	3 $\frac{1}{2}$	1	26-2410
50-51.....	16 $\frac{7}{8}$	10 $\frac{3}{4}$	6 $\frac{11}{16}$	2 $\frac{1}{2}$	1 $\frac{1}{16}$	3 $\frac{7}{8}$	1	26-2410
50-52.....	17 $\frac{3}{8}$	10 $\frac{3}{4}$	6 $\frac{11}{16}$	2 $\frac{1}{2}$	1 $\frac{1}{16}$	3 $\frac{7}{8}$	1	26-2410
50-64.....	25 $\frac{1}{8}$	14	7 $\frac{11}{16}$	3 $\frac{13}{32}$	2 $\frac{5}{32}$	4 $\frac{7}{16}$	1	26-2410
50-76.....	33 $\frac{7}{16}$	17	8 $\frac{5}{8}$	3 $\frac{9}{16}$	2 $\frac{9}{32}$	5	1	26-2410
50-77.....	34	17	8 $\frac{5}{8}$	3 $\frac{13}{32}$	2 $\frac{13}{32}$	5	1	26-2410
50-81.....	48 $\frac{1}{4}$	23	8 $\frac{29}{32}$	4 $\frac{1}{8}$	3 $\frac{1}{16}$	5 $\frac{9}{16}$	1 $\frac{7}{16}$	36-700
50-85.....	58 $\frac{1}{8}$	25 $\frac{1}{2}$	9 $\frac{1}{8}$	4 $\frac{17}{32}$	3 $\frac{13}{32}$	5 $\frac{9}{32}$	1 $\frac{7}{16}$	36-700
50-91.....	105 $\frac{5}{8}$	37	9 $\frac{19}{32}$	6 $\frac{5}{8}$	1 $\frac{7}{16}$	4 $\frac{9}{16}$	1 $\frac{7}{16}$	36-700

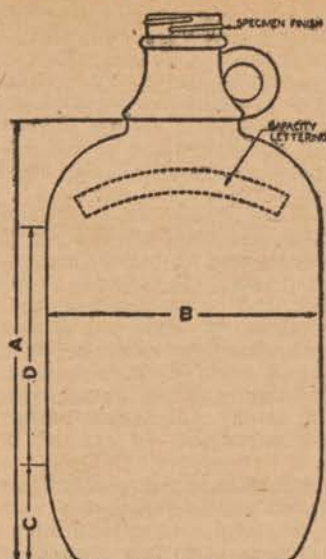
NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the "B" dimension.
3. Profiles similar to that illustrated shall be maintained for the above exhibits consistent with the "F" and "D" dimensions. A label recess must be maintained.
4. Bottles shall be fluted as shown.
5. Container shall be round.
6. Bottom stippling optional.

DRAWING NO. 12—STUBBY ROUND BOTTLE



DRAWING NO. 13—GLASS JUG



GLASS JUG

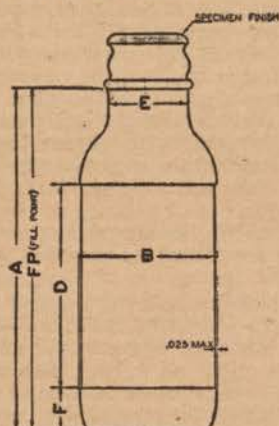
EXHIBIT SERIES 51-00

Exhibit No.	Size	Overflow capacity, oz.	Maximum weight, oz.	A	B, max.	C	D	G. C. A. finish No.
51-86	Half gallon	66	31	8	43 ¹ / ₂	14 ⁷ / ₆₄	4 ⁹ / ₃₂	38-400
51-87	Half gallon	60	31	8	43 ¹ / ₃₂	14 ⁷ / ₆₄	4 ⁹ / ₃₂	70-450
51-88	Half gallon	67	31	8	5	14 ⁷ / ₆₄	4 ⁹ / ₃₂	38-400
51-89	Half gallon	67	31	8	5	14 ⁷ / ₆₄	4 ⁹ / ₃₂	70-450
51-92	Gallon	130	46	9 ³ / ₄	62 ⁹ / ₆₄	14 ⁷ / ₆₄	4 ⁹ / ₃₂	38-400
51-93	Gallon	130	46	9 ³ / ₄	62 ⁹ / ₆₄	14 ⁷ / ₆₄	4 ⁹ / ₃₂	70-450
51-94	Gallon	131 ¹ / ₄	46	9 ³ / ₄	61 ¹ / ₂	14 ⁷ / ₆₄	4 ⁹ / ₃₂	38-400
51-95	Gallon	131 ¹ / ₄	46	9 ³ / ₄	61 ¹ / ₂	14 ⁷ / ₆₄	4 ⁹ / ₃₂	70-450
51-96	Gallon	134 ¹ / ₄	48	9 ³ / ₄	61 ⁹ / ₃₂	14 ⁷ / ₆₄	4 ⁹ / ₃₂	38-400
51-97	Gallon	134 ¹ / ₂	48	9 ³ / ₄	61 ⁹ / ₃₂	14 ⁷ / ₆₄	4 ⁹ / ₃₂	70-450
51-98	Gallon	136	48	9 ³ / ₄	64 ¹ / ₆₄	14 ⁷ / ₆₄	4 ⁹ / ₃₂	38-400
51-99	Gallon	136	48	9 ³ / ₄	64 ¹ / ₆₄	14 ⁷ / ₆₄	4 ⁹ / ₃₂	70-450

NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the "B" dimension.
3. Profiles similar to that illustrated shall be maintained for the above exhibits consistent with the "C" and "D" dimensions.
4. Container shall be round.
5. Bottom stippling optional.

DRAWING NO. 14—CHILI SAUCE BOTTLE



CHILI SAUCE BOTTLE

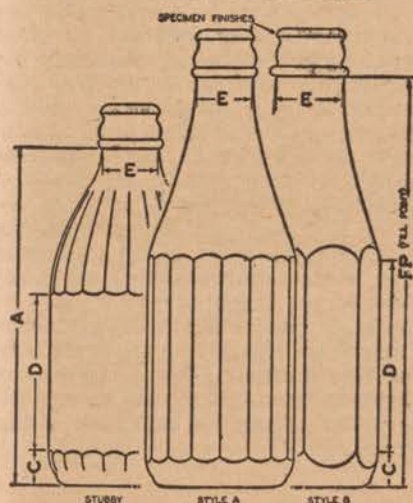
EXHIBIT SERIES 52-00

Exhibit No.	Capacity to F. P., oz.	Maximum weight, oz.	FP	A	B, max.	F	D	E	G. C. A. finish No.
52-33	10 ¹ / ₄	9 ³ / ₄	6 ¹ / ₁₆	6 ¹ / ₁₆	22 ⁹ / ₆₄	3 ¹ / ₄	32 ¹ / ₃₂	1 ¹ / ₁₆	36-250

NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the "B" dimension.
3. The profile illustrated shall be maintained for the above exhibit. A label recess must be maintained.
4. Container shall be round.
5. Bottom stippling optional.

DRAWING NO. 15—CATSUP BOTTLE



CATSUP BOTTLE

EXHIBIT SERIES 53-00

Exhibit No.	Style	Capacity to F. P., oz.	Maximum weight, oz.	FP up	A	C			D			E	G. C. A. finish No.
						No. of panels							
						8	16	20	8	16	20		
53-38	Stubby	12½	8¾	5½	5½			¾			2½	1½	26-250
53-39	A	12¾	10½	7¾	7¾	¾	¾		¾	¾		1½	26-250
53-40	B	12¾	10½	7¾	7¾	¾	¾		¾	¾		1½	31-250

NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the body diameters.
3. Profiles similar to those illustrated shall be maintained for the above exhibits consistent with the "C" and "D" dimensions.
4. The stubby style is made with 20 panels only. Styles "A" and "B" may be made with either 8 or 16 panels.
5. Container shall be round.
6. Bottom stippling optional.

PART 3173—ELECTRIC MOTOR CONTROLLERS

[Interpretation 1 of General Conservation Order L-250]

The following official interpretation is hereby issued with respect to § 3173.1 General Conservation Order L-250:

Paragraph (c) (2) (ix) prohibits the use of floor mounting type steel enclosing cases or steel cabinets for various kinds of controllers, with certain exceptions. These exceptions include cases for use in an atmosphere which is corrosive or which contains metal particles, dust, or fumes, or for use out-of-doors without other protection.

A question has arisen as to whether Type I (general purpose) and Type IA (semi-dust tight) enclosing cases are included within the above mentioned exception. Since Types I and IA cases are not suitable for protection against conditions of the kind which form the basis for the above mentioned exemptions, such equipment is not deemed to be within the exception regardless of the use to which the purchaser alleges he wishes to put the equipment.

Issued this 8th day of June, 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-9276; Filed, June 8, 1943;
11:16 a. m.]

PART 3177—MOTOR TRUCK AND TRAILER BODIES

[Limitation Order L-253, as Amended June 8, 1943]

The fulfillment of requirements for the defense of the United States having created a shortage in the supply of iron, steel and other materials required in the production of motor truck and trailer bodies for defense, for private account and for export, the following order is deemed necessary and appropriate in the public interest:

§ 3177.1 Limitation Order L-253, as Amended June 8, 1943—(a) Definitions. For the purposes of this order:

(1) "Truck" means a motor truck chassis designed for use on or off the highway for the transportation of property or materials.

(2) "Trailer" means a semi-trailer chassis or full trailer chassis designed for use on or off the highway for the transportation of property or materials.

(3) "Body" means superstructure, not including cabs but including sleeper cabs and built-in parts, produced for mounting on a truck or trailer, or built integrally as a trailer by the attachment of axle and wheel equipment. "Body" does not include motorized fire apparatus, cranes, compressors, hoists, mixers, winches, and similar items of equipment.

(4) "Dump body" means a body designed to transport solid or semi-solid materials in bulk and to unload by tipping, through bottom openings or otherwise by gravity.

(5) "Tank body" means a body produced to transport liquid or gaseous materials in bulk.

(6) "Cab" means a superstructure mounted on a truck separately from the body and designed for the use of the truck operator, but does not include a sleeper cab.

(7) "Built-in parts" means parts which are integral parts of a body, or parts which are not readily detachable from such bodies including, but not limited to, cabinets, hanger rails, inside wheelhouses, partitions, racks and shelving.

(8) "Repairs" means reconditioning, reconstructing, renewing, repairing and restoring of bodies.

(9) "Alterations" means enlarging a body by increasing length, height or width, but shall not be deemed to mean changing original style of body.

(10) "Iron and steel" means any material, the principal ingredient of which is ferrous metal, not including screws, nails, bolts, rivets, and other joining hardware.

(11) "Producer" means any individual, partnership, association, corporation or other form of business enterprise engaged in the production of bodies, dump bodies, tank bodies or cabs.

(b) Limitations on use of iron or steel in bodies. (1) On and after June 15, 1943, no producer shall use any iron or steel in the manufacture of bodies, unless specifically authorized by the War Production Board as provided in paragraph (f) below, except in the following parts:

(i) Parts to brace (but not to constitute frames or platforms); body out-rails; iron castings, essential body hardware; reflectors, louver or static type ventilators; wheelhouse mudguards and frames; cross and longitudinal frame members necessary for the attachment of trailer running gear assemblies or fifth wheel assemblies.

(ii) Parts to cover (but not to constitute) doors and frames exclusive of platforms and roofs, provided such parts are from sheet or strip steel identified as being within one or more of the following classes:

(a) Sheet or strip steel in producer's inventory on June 15, 1943.

(b) Sheet or strip steel reported as idle or excess inventory to War Production Board, c/o Steel Recovery Corporation, Pittsburgh, Pennsylvania.

(c) Sheet or strip mill rejects, seconds and wasters.

(iii) Parts necessary in the mounting of bodies, including but not limited to brackets, drive-shaft guards, chassis frame extensions and reinforcements, outriggers and spring leaves.

(2) The provisions of subparagraph (1) above shall not apply to cabs.

(3) Steel used in the parts enumerated in subparagraphs (1) (i), (ii) and (iii) above shall in no instance be alloy steel, except in spring leaves.

(c) Limitations on use of iron and steel in parts for dump bodies and limitations on capacities and dimensions. On and after June 15, 1943, unless specifically authorized by the War Production Board as provided in paragraph (f) below, no producer shall use any iron or steel in the production of dump bodies or produce any dump bodies except as follows:

(1) Dump bodies of a capacity of two and one-half (2½) cubic yards, water level, and an inside length of not less than seven (7) or more than eight (8) feet, and containing iron and steel of an aggregate weight not in excess of nine hundred and twenty-five (925) pounds, no parts of which shall be alloy steel, including all hardware, but excluding the weight of mounting parts as set forth in paragraph (b) (1) (iii) of this order, or

(2) Dump bodies of a capacity of four (4) cubic yards, water level, and an inside length of not less than nine (9) or more than ten (10) feet, and containing iron and steel of an aggregate weight not in excess of one thousand six hundred fifty (1650) pounds, no part of which shall be alloy steel, including all hardware, but excluding the weight of mounting parts as set forth in paragraph (b) (1) (iii) of this order; or

(3) Dump bodies of any capacities or dimensions provided that the use of iron or steel is limited to the parts specified in paragraph (b) (1) (i) and (iii).

(d) Prohibition of production of tank bodies. On and after February 10, 1943, no producer shall produce any tank body unless specifically authorized by the War Production Board as provided in paragraph (f) below.

(e) Limitations on use of iron or steel in repairs or alterations to bodies, dump bodies or tank bodies. On and after June 15, 1943, no person shall use iron or steel in repairs or alterations to bodies, dump bodies or tank bodies where repairs or alterations, or both, require the use of iron or steel weighing more than 30% of the weight of the iron and steel used in the original body.

(f) Applications for specific authorization to use iron or steel and for other relief. Applications by producers for specific authorization by the War Production Board (1) to use iron or steel in the manufacture of bodies other than in parts as specified in paragraph (b) above; (2) to produce dump bodies in capacities, dimensions or with the use of iron and steel other than as limited in paragraph (c) above; or (3) to produce tank bodies notwithstanding the provisions of paragraph (d) above, may be made by filing Form WPB-2317 (formerly Form PD-792), in triplicate, with the War Production Board, Automotive Division, Ref: L-253, stating therein the pertinent information called for by that Form.

(g) *Army and Navy exemptions.* (1) In respect to bodies, dump bodies or tank bodies produced under contracts or orders for delivery to or for the account of the Army or Navy of the United States, the provisions of paragraphs (b), (c) and (d) of this order shall not apply to any body of a type listed on Schedule A to this order, as amended from time to time; provided, that where a date is stated on Schedule A in connection with any listed type of body, the restrictions of paragraphs (b), (c) and (d) shall apply to such type of body on and after the date stated.

(2) The provisions of paragraph (e) shall not apply to repairs or alterations made under contracts or orders with or for the account of the Army or Navy of the United States.

(h) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control, and may be deprived of priorities assistance.

(i) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(j) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed be addressed to War Production Board, Automotive Division, Washington, D. C. Ref: Order L-253.

(k) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

Issued this 8th day of June 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

[Dates after which the provisions of paragraphs (b), (c) and (d) shall be applicable to types of bodies listed in this Schedule and produced under contracts or orders for delivery to or for the account of the Army or Navy of the United States]

Body type

For pintle loaded trailers:
Armored..... None specified
¼ ton cargo, 2 wheel amphibian..... None specified
½ ton dump, 2 wheel..... Dec. 31, 1943
½ ton public address, 2 wheel..... None specified
1 ton cargo, 2 wheel..... Sept. 30, 1943
1 ton, 250 gallon water tank..... Dec. 31, 1943

Body type

For pintle loaded trailers—
Continued.
1 ton, 300 gallon water tank..... Dec. 31, 1943
Chlorination, 2 wheel..... None specified
Water purification, 2 wheel..... Dec. 31, 1943
Horse van, 2 wheel..... None specified
Pilots..... None specified
K38..... Dec. 31, 1943
For trailers:
Armored..... None specified
Asphalt tank with coils, 1500 gal..... None specified
Bathing unit, portable field..... Dec. 31, 1943
Clothing repair..... Dec. 31, 1943
Generator housing..... None specified
Instrument repair..... Dec. 31, 1943
K22..... None specified
K28..... Dec. 31, 1943
K34..... Dec. 31, 1943
K35..... Dec. 31, 1943
K39..... Dec. 31, 1943
K43..... Dec. 31, 1943
K44..... Dec. 31, 1943
K55..... Dec. 31, 1943
K65..... Dec. 31, 1943
K67..... Dec. 31, 1943
K72..... Dec. 31, 1943
K75..... Dec. 31, 1943
K76..... Dec. 31, 1943
K77..... Dec. 31, 1943
K78..... None specified
M13 for M9 elec. fire control director..... June 30, 1944
M14 for M10 elec. fire control director..... June 30, 1944
Mobile laundry..... None specified
Mobile record unit..... None specified
Shoe repair..... Dec. 31, 1943
Textile repair..... Dec. 31, 1943
Tire repair..... Dec. 31, 1943
SKD 2226..... June 30, 1944
SKD 2226-1..... June 30, 1944
SKD 2261..... June 30, 1944
SKD 2262..... June 30, 1944
1 ton, parts stockroom..... June 30, 1944
2 ton, parts stockroom..... June 30, 1944
3 ton, darkroom..... June 30, 1944
5 ton, machine shop..... June 30, 1944
6, 10 ton, map reproduction van type..... Dec. 31, 1943
6 ton van..... June 30, 1944
10 ton composite stake..... Dec. 31, 1943
10, 15 ton refrigerator..... Dec. 31, 1943
40 ton, tank transporter..... Dec. 31, 1943
Fuel tanks..... None specified
Oil tanks..... None specified
Water tank, 1500 gal..... None specified
Pilots..... None specified
For trucks:
Armored..... None specified
Asphalt tank, with coils, 800 gal..... None specified
Mobile machine shop..... None specified
Water purification, 75 GPM..... Dec. 31, 1943
¼ ton, 4 x 4, amphibian..... None specified
¼ ton, 4 x 4, reconnaissance..... None specified
¾ ton, 4 x 4, ambulance..... June 30, 1944
¾ ton, 4 x 4, command reconnaissance..... None specified
¾ ton, 4 x 4, ordnance emergency repair..... None specified
¾ ton, 4 x 4, telephone installation and maintenance (K50B)..... None specified
¾ ton, 4 x 4, telephone maintenance, Model 4551..... None specified

Body type

For trucks—Continued.
6 ton, 6 x 6, bridge construction..... None specified
¾ ton, 4 x 4, weapons carrier..... June 30, 1944
1 ton, 4 x 4, combat..... Dec. 31, 1943
1½ ton, 4 x 4, earth borer body..... Dec. 31, 1943
1½ ton, 4 x 2, composite stake..... Dec. 31, 1943
1½ ton, bomb service..... None specified
1½ ton, 4 x 4, telephone construction..... Dec. 31, 1943
1½ ton, 4 x 4, enclosed general purpose..... Dec. 31, 1943
1½ ton, 6 x 6, personnel carrier and cargo truck..... None specified
2½ ton, 4 x 2, 1½, 2, 2½ cubic yd. dump..... Dec. 31, 1943
2½ ton, 6 x 6, 3½ cu. yd. dump..... None specified
2½ ton, 6 x 6, amphibian..... None specified
2½ ton, 4 x 2, 10 ft. composite stake..... Dec. 31, 1943
2½ ton, 4 x 2, 14 ft. composite stake..... Dec. 31, 1943
2½ ton, 6 x 6, earth borer body..... June 30, 1944
2½-4 ton, 6 x 6, map reproduction..... Dec. 31, 1943
2½ ton, 6 x 6, surgical operating..... None specified
2½ ton, 6 x 6, 700 gal. water tank..... None specified
2½ ton, 4 x 4, prime mover..... June 30, 1944
3 ton multilith..... None specified
3½ ton, 4 x 2, 3½ cu. yd. dump..... Dec. 31, 1943
3½ ton, 4 x 2, 12 ft. composite stake..... Dec. 31, 1943
3½ ton, 4 x 2, 16 ft. composite stake..... Dec. 31, 1943
4 ton, 6 x 6, 800 gal. bituminous supply..... None specified
4 ton, 6 x 6, 3½ cu. yd. dump..... Dec. 31, 1943
4 ton, 6 x 6, wrecker..... June 30, 1944
5 ton, refrigerator..... June 30, 1944
5 ton, communications..... Dec. 31, 1943
5 ton, 4 x 2, 14 ft. composite stake..... Dec. 31, 1943
5 ton, 4 x 2, 18 ft. composite stake..... Dec. 31, 1943
5 ton, 4 x 2, 20 ft. composite stake..... Dec. 31, 1943
5 ton, 4 x 2, 5 cu. yd. dump..... Dec. 31, 1943
5-6 ton, 4 x 4, tractor, ponton..... Dec. 31, 1943
6 ton, 6 x 6, bridge construction..... None specified
6 ton, 6 x 6, van..... Sept. 30, 1943
40 ton, tank recoverer and transporter ballast body..... Dec. 31, 1943
M-1 wrecker..... June 30, 1944
K30..... Dec. 31, 1943
K51..... Dec. 31, 1943
K53..... Dec. 31, 1943
K56..... Sept. 30, 1943
K60..... Dec. 31, 1943
K62..... Dec. 31, 1943
Garbage, tamper type..... Dec. 31, 1943
Pilots..... None specified
Oil tanks..... None specified
Fuel tanks..... None specified

This schedule may be amended from time to time by the addition or removal of body types or changes in dates, or otherwise.

[F. R. Doc. 43-9277; Filed, June 8, 1943; 11:16 a. m.]

PART 3228—CASEIN

[General Preference Order M-307 as Amended June 8, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of casein for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3228.1 *General Preference Order M-307—(a) Definitions.* (1) "Casein" means the protein components of skimmed milk which have been precipitated by the action of rennet, acid or sweet or sour whey and which have been washed, dried and ground. Precipitated components which have been washed and/or dried, but not ground, are not "casein" within the terms hereof, but "casein" does include "casein" as above defined where blended with other precipitated components, whether or not such other components are washed, dried or ground.

(2) "Producer" means any person who produces or imports casein and includes any person who produces casein for use in the manufacture by him of other products.

(3) "Distributor" means any person who purchases casein for the purpose of resale.

(4) "Supplier" means a producer or a distributor.

(b) *Restrictions on production.* War Production Board may at any time issue authorizations or directions to a producer respecting the grades or types of casein which he may produce.

(c) *Restrictions on deliveries and use.* (1) On and after May 1, 1943, no person shall deliver, accept delivery of, or use casein, except as specifically authorized or directed by War Production Board.

(2) Authorizations or directions with respect to deliveries or use in the two month period May 1, to June 30, 1943, and in each calendar quarter commencing with the third quarter of 1943, will so far as practicable be issued by War Production Board prior to the commencement of such period or quarter, but War Production Board may at any time in its discretion issue directions with respect to deliveries to be made or accepted, or with respect to use or uses which may or may not be made of casein to be delivered or then on hand. Such authorizations or directions may be made by War Production Board without regard to preference ratings applicable to particular orders.

(3) Each person specifically authorized to accept delivery of or use casein shall use such material for the purpose authorized, and only for such purpose, except as otherwise specifically directed by the War Production Board. Casein allocated for inventory shall not be used except as specifically directed by War Production Board.

(4) Casein allocated to fill a specified order or class of orders shall, where and to the extent that such order or class of orders is not for any reason filled, revert to inventory as though allocated therefor.

(d) *Exceptions to requirement for specific authorization.* (1) Notwithstanding the provisions of paragraph (c) (1) hereof, specific authorization of War Production Board shall not be required for:

(i) The delivery of casein by any supplier to any person in the period May 1 to June 30, 1943, or in any calendar quarter commencing with the third quarter of 1943, of not more than 1,000 lbs. of casein for each month of such period or quarter.

(ii) Acceptance of delivery by any person from any supplier in the period May 1 to June 30, 1943, or in any calendar quarter commencing with the third quarter of 1943, of not more than 1,000 lbs. of casein for each month of such period or quarter.

(iii) The use by any person in the period May 1 to June 30, 1943, or in any calendar quarter commencing with the third quarter of 1943, of not more than 1,000 lbs. of casein for each month of such period or quarter.

(2) No producer shall in any such period or calendar quarter deliver pursuant to paragraph (d) (1) an aggregate amount of casein in excess of 3% of the amount of casein which he is specifically authorized to deliver during such period or quarter.

(3) No supplier shall make any delivery during any such period or calendar quarter pursuant to paragraph (d) (1) if such delivery will prevent the completion of any delivery which has been specifically authorized for such period or quarter.

(e) *Applications and reports.* (1) Each person requiring authorization to accept delivery of casein in any calendar quarter commencing with the third quarter of 1943, whether for his own consumption or for resale (and every person requiring authorization to use casein in such quarter) shall file application therefor on or before the 15th day of the month preceding the commencement of such quarter. Applications respecting acceptance of delivery or use in the period May 1 to June 30, 1943 shall be filed as many days as possible in advance of May 1, 1943. In any case, applications shall be made on Form PD-600 in the manner prescribed therein, subject to the following special instructions:

(i) Copies of Form PD-600 may be obtained at local field offices of the War Production Board.

(ii) Five copies shall be prepared, of which three shall be forwarded to War Production Board, Chemicals Division, Washington, D. C., Ref: M-307, one forwarded to the supplier with whom applicant's order is placed, and the fifth retained for applicant's file. At least one of the copies filed with War Production Board shall be signed by applicant by a duly authorized official. Where the application is solely for authorization to use, no copy shall be sent to the supplier.

(iii) In the heading, under "Name of chemical", specify "Casein"; under "WPB Order No.", specify "M-307"; under "Indicate unit of measure", specify "pounds".

(iv) In heading at top of Table I and Table III, specify "Period May 1 to June 30, 1943" or "----- quarter of 1943" (inserting "third", "fourth", etc.).

(v) In Columns 1, 11 and 19, specify grade, for example, "rennet", "acid".

(vi) In Columns 3, 20 and 22 (Primary Product), applicant will specify, in terms of the following, the product or products in the manufacture or preparation of which he will use casein:

Adhesives	Rubber
Coated paper (except wallpaper)	Wallpaper
Gypsum	Other products (specify)
Insecticides	Resale (as casein)
Leather finishes	Inventory (as casein)
Paint	
Plastics	

(vii) In Column 4 (Product End Use), applicant will specify with respect to each primary product the ultimate use to which such primary product will be put. For example, if the "primary product" called for in Column 3 is "adhesives", the ultimate use might be "furniture plywood". Applicant will also specify in each case whether his customer is Army, Navy, other government agency, Lend-Lease, or commercial customer. If application is for casein for resale or for inventory, leave Column 4 blank.

(viii) Applicant will fill out Tables II, III and IV in their entirety, except that Columns 15-a, 15-b, 15-c and 16 will be left blank. In the headings at the top of Columns 13, 14 and 15, he will substitute for the words "last month," the words "current quarter (estimated)." In the heading at the top of Table IV, "Inventory at end of last month," he will substitute "Inventory at end of current quarter." As used herein "current quarter" means the quarter in which the application will normally be filed; namely, the quarter preceding the quarter to which the application for authorization to accept delivery or use relates.

(2) Each supplier seeking authorization to make delivery of casein in any calendar quarter commencing with the third quarter of 1943, shall file application therefor on or before the 20th day of the month preceding the commencement of such quarter. Applications respecting delivery in the period May 1 to June 30, 1943 shall be filed as many days as possible in advance of May 1, 1943. In any case, applications shall be made on Form PD-601 in the manner prescribed therein, subject to the following special instructions:

(i) Copies of Form PD-601 may be obtained at local field offices of the War Production Board.

(ii) Supplier will prepare an original and three copies of each set of Form PD-601 and will forward the original and two copies to War Production Board, Chemicals Division, Washington, D. C., Ref: M-307, retaining the third copy for his files. A separate set of Form PD-601 shall be prepared by supplier to

cover deliveries which he proposes to make in the applicable month to customers ordering casein for the manufacture or preparation of the same class of product. For the purposes of this requirement, the classes of product shall be those listed in paragraph (e) (1) (vi).

(iii) Each producer who has filed application on Form PD-600 specifying himself as his supplier, shall list his own name as customer on Form PD-601 and shall list his request for allocation in the manner prescribed for other customers.

(iv) In the heading under "Name of chemical", specify "Casein"; under "WPB Order No.", specify "M-307"; under "This schedule is for deliveries to be made during the month of -----", specify "Period May 1 to June 30, 1943", or "----- quarter of 194-----" (indicating "third", "fourth", etc.); under "Indicate unit of measure", specify "pounds".

(v) In Column 1, list customers and if it is necessary to use more than one sheet, number each sheet in order and show grand totals for all sheets on the last sheet, which is the only one that need be certified. Supplier need not, however, specify names of customers to whom small order deliveries are to be made during the period or quarter pursuant to paragraph (d) (1), but he will insert in Column 1 "Total small order deliveries (estimated)", and in Column 4 will state the estimated quantity.

(vi) In Columns 3 and 8, supplier will specify grades, for example, "rennet", "acid".

(vii) The supplier may, if he wishes, leave Column 5 blank.

(viii) In Table II, supplier will substitute "quarter" for "month" wherever word "month" appears, except that in any application relating to deliveries in the period May 1 to June 30, 1943, the word "month" in Columns 11, 12 and 13 shall be left unchanged and that in Column 14, supplier will list estimated production for period May 1 to June 30, 1943.

(3) War Production Board may require each person affected by this order to file such other reports as may be prescribed, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942, and may issue special directions to any such person with respect to preparing and filing Forms PD-600 and PD-601.

(f) *Miscellaneous provisions*—(1) *Applicability of regulations*. This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time, except Priorities Regulation No. 13, which shall be subject to this order to the extent that it is inconsistent therewith.

(2) *Notification of customers*. Each supplier shall, as soon as practicable, notify each of his regular customers of the requirements of this order, but failure to give notice shall not excuse any such person from complying with the terms hereof.

(3) *Violations*. Any person who willfully violates any provision of this order,

or who, in connection with this order willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(4) *Communications to War Production Board*. All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C. Ref: M-307.

Issued this 8th day of June 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-9269; Filed, June 8, 1943;
11:17 a. m.]

PART 3263—CELLULOSE ESTERS

[Allocation Order M-326]

CELLULOSE ESTER FLAKE

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of cellulose ester flake for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3263.1 Allocation Order M-326—

(a) *Definitions*. For the purpose of this order:

(1) "Cellulose ester flake" means material manufactured by the treatment of cellulose with acetic anhydride, with or without other reactants. The term shall include cellulose ester flake of all grades and kinds, in primary form, including cellulose acetate flake, cellulose acetate butyrate flake, and cellulose acetate propionate flake, but not including plasticized cellulose esters.

(2) "Flake supplier" means any person who produces cellulose ester flake or who purchases cellulose ester flake for resale as cellulose ester flake.

(b) *Restrictions on use and delivery*.

(1) On and after July 1, 1943, no flake supplier shall use or deliver cellulose ester flake, and no person shall accept delivery of cellulose ester flake from a flake supplier, except as specifically authorized in writing by the War Production Board upon application pursuant to paragraph (d).

(2) Each person authorized to accept delivery of cellulose ester flake shall use or dispose of such cellulose ester flake, or products made therefrom, only for the purpose authorized, except as otherwise specifically directed by the War Production Board; provided, however, That any such person may deliver such cellulose ester flake to any flake supplier.

(3) Deliveries of cellulose ester flake specifically authorized for a particular

calendar month may be made at any time prior to such month after receipt of such authorization, subject to the limitations expressly contained in such authorization.

(4) The War Production Board, at its discretion, may from time to time issue special directions to any person with respect to use or delivery of cellulose ester flake by such person, or of products made from cellulose ester flake allocated to such person, and may issue special directions to any flake supplier with respect to the kind and quantity of cellulose ester flake which he may produce or manufacture.

(c) *Exemptions*. Specific authorization pursuant to paragraph (b) (1) shall not be required for:

(1) Acceptance of delivery by any person from all flake suppliers, and the use by any flake supplier, of 100 pounds or less of cellulose ester flake in the aggregate during any calendar month. Authorization by the War Production Board is required for any flake supplier to make such small order deliveries, upon application pursuant to paragraph (d) requesting an aggregate quantity of cellulose ester flake "for paragraph (c) (1) small orders".

(2) Use of cellulose ester flake by any flake supplier for testing or experimental purposes.

(d) *Applications and reports*. (1) Each person seeking authorization to accept delivery of cellulose ester flake, and each flake supplier seeking authorization to use cellulose ester flakes, shall file application on Form PD-600, in the manner prescribed therein, subject to the following instructions for the purpose of this order:

Form PD-600. Copies of Form PD-600 may be obtained at local field offices of the War Production Board.

Time. Applications shall be made in time to ensure that copies will have reached the flake supplier and the War Production Board on or before the 10th day of the month preceding the month for which authorization to use or accept delivery is requested.

Number of copies. Five copies shall be prepared, of which one shall be retained by the applicant, one (with Tables II, III and IV left blank) shall be forwarded to the flake supplier, and three completely filled out certified copies shall be forwarded to the War Production Board, Chemicals Division, Washington, D. C., Reference M-326.

Number of sets. A separate set of PD-600 application blanks shall be submitted for each flake supplier. A consolidated set of applications may be made for all plants of the applicant. Separate sets of forms shall be submitted for each type of flake required, such as cellulose acetate flake, cellulose acetate butyrate flake, and cellulose acetate propionate flake.

Heading. Under name of chemical, specify the type of cellulose ester flake; under War Production Board order number, specify M-326; under unit of measure, specify pounds; and otherwise fill in as indicated.

Table I. Specify in the heading the month and year for which authorization for acceptance of delivery or use is sought.

Column 1. Specify the grade or code number of the cellulose ester flake ordered.

Column 2. Specify pounds of cellulose ester flake requested for each primary product and product use specified in Columns 3 and 4.

Column 3. Fill in as follows:

For orders on hand:

Primary product.¹

Resale (as flake).

Export (as flake).

For anticipated orders:

Primary product (as flake).¹

Resale (as flake).

Export (as flake).

Inventory (as flake).

Column 4. Opposite each primary product listed in Column 3, specify in Column 4 the product end use and, where practicable, the governing military or Lend-Lease contract number, if any. In the case of yarn or staple fibre, however, Column 4 may be left blank. Each applicant for cellulose ester flake to be used in the production of cellulose plastics as defined in Supplementary Order M-326-a shall specify the specific end use in Column 4 if he is to use the cellulose plastics in his own operations, or shall specify in Column 4 "For authorized deliveries pursuant to M-326-a" if he is to deliver such cellulose plastics to others.

Opposite "Resale" in Column 3, write in Column 4 "upon further authorization."

Opposite "Export" in Column 3, specify in Column 4 the name of the individual company or governmental agency to whom or for whose account the flake will be exported, the country of destination and governing export license or contract numbers, unless Lend-Lease, in which case merely specify the Lend-Lease contract or serial number.

Opposite "Inventory" in Column 3, leave Column 4 blank.

Columns 9 and 10. Leave blank, except for remarks, if any in Column 10.

Table II. Fill in as indicated for each grade of cellulose ester flake listed in Column 1 of the application.

Table III. Fill in Column 17 as indicated, and leave Columns 18 and 19 blank.

Table IV. Fill in as indicated for each primary product listed in Column 3 of the application.

(2) Each flake supplier shall file a monthly report and may apply for authorization to make deliveries of cellulose ester flake on Form PD-601 in the manner prescribed therein, subject to the following instructions for the purpose of this order:

Form PD-601. Copies of Form PD-601 may be obtained at local field offices of the War Production Board.

Time. Application shall be made in time to ensure that copies will have reached the War Production Board on or before the 15th day of the month preceding the month for which authorization to make delivery is sought.

Number of copies.—Four copies shall be prepared, of which one shall be retained by the applicant and three certified copies shall be forwarded to the War Production Board, Washington, D. C., Reference M-326.

Number of sets. A consolidated set of forms may be filed for all plants or distribution points of the flake supplier. A separate set of forms shall be submitted for each type of flake, such as cellulose acetate flake, cellulose acetate butyrate flake, and cellulose acetate propionate flake.

¹The primary products referred to above shall be specified as follows:

Yarn.

Staple fibre.

Photographic film.

Lacquer or emulsions.

Molding powder.

Rods or tubes.

Sheeting below .003".

Sheeting .003" and above.

Other (specify).

Heading. Under name of chemical, specify type of cellulose ester flake; under War Production Board order number, specify M-326; specify allocation month; under unit of measure, specify pounds and otherwise fill in as indicated.

Columns 1, 2, 3, 4 and 5. Fill in as indicated. Each customer who has filed a PD-600 form with the flake supplier (including the flake supplier himself, in the case of a producer who consumes part of his own production) shall be listed in Column 1. Column 5 is optional. At the end of the list of customers, application may be made for aggregate small order deliveries pursuant to paragraph (c) (1).

Columns 5a, 6 and 7. Leave blank, except for remarks, if any, in Column 7.

Rolling stock requirements. The columns relating to number of hopper cars and tank cars required may be left blank.

Table II. Fill in as indicated for each grade of cellulose ester flake listed in Column 3, and leave Column 16 blank.

(3) The War Production Board may require each person affected by this order to file such other reports as may be prescribed, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942, and may issue special instructions to any such person with respect to filing Form PD-600 and Form PD-601.

(e) Allocations for inventory. Cellulose ester flake allocated for inventory shall not be used for any purpose except as specifically directed by the War Production Board or except to fill orders for authorized uses pending arrival of the flake allocated to fill such orders. Upon arrival of such flake, the allocated inventory shall be restored.

(f) Flake suppliers' intra-company deliveries. Specific authorization shall not be required for intra-company deliveries of cellulose ester flake between subdivisions of a flake supplier, notwithstanding the provisions of § 944.12 of Priorities Regulation No. 1, as amended.

(g) Notifications of customers. Each flake supplier is requested to notify his regular customers as soon as possible of the requirements of this order, but failure to receive such notice shall not excuse any person from complying with the terms hereof.

(h) Miscellaneous provisions—(1) Applicability of regulations. Subject to the provisions of paragraph (f), this order and all transactions affected hereby are subject to all applicable provisions of War Production Board regulations, as amended from time to time.

(2) Effect of other orders. Nothing contained in this order shall be construed to limit the requirements of any other order of the War Production Board, including but not limited to Limitation Order L-20 (Cellophane and Similar Transparent Materials Derived from Cellulose), Limitation Order L-233 (Photographic Film and Film Base), and General Preference Order M-154 (Thermoplastics), as amended.

(3) Violations. Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction

may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) Communications. All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C., Reference: M-326.

Issued this 8th day of June 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-9270; Filed, June 8, 1943;
11:18 a. m.]

PART 3263—CELLULOSE ESTERS

[Supplementary Allocation Order M-326-a]

CELLULOSE ESTER SHEETS, RODS, TUBES AND MOLDING POWDER

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of cellulose plastics for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3263.2 *Supplementary Allocation Order M-326-a—(a) Definitions.* For the purpose of this order:

(1) "Cellulose plastics" means molding powder, sheets, rods or tubes in primary form, produced from cellulose ester flake, as defined in Order M-326, but not including scrap resulting from molding or fabrication of such cellulose plastics.

(2) "Plastics supplier" means any person who produces cellulose plastics, or who purchases cellulose plastics for resale as cellulose plastics.

(b) *Restrictions on use and delivery.* (1) On and after July 1, 1943, no plastics supplier shall use or deliver cellulose plastics, except as specifically authorized in writing by the War Production Board upon application pursuant to paragraph (f).

(2) Deliveries of cellulose plastics specifically authorized for a particular calendar month may be made at any time prior to such month, after receipt of such authorization subject to the limitations expressly contained in such authorization.

(3) Each person furnishing a use certificate pursuant to paragraph (d) with a purchase order for cellulose plastics shall use or dispose of the cellulose plastics delivered on such purchase order, or products made therefrom, only for the purpose specified in such certificate, except as otherwise specifically directed by the War Production Board; provided, however, that any such person may deliver such cellulose plastics to any plastics supplier.

(4) The War Production Board, at its discretion, may from time to time issue

special directions to any person with respect to use or delivery of cellulose plastics by such person, or of products made from cellulose plastics allocated to such person, and may issue special directions to any plastics supplier with respect to the kind and quantity of cellulose plastics which he may produce or manufacture.

(c) *Inventory restriction.* No person shall accept delivery of cellulose plastics on orders placed after June 8, 1943 (irrespective of authorization to his plastics supplier to make such delivery), if his inventory of cellulose plastics of the same or equivalent grade or type is, or by virtue of such acceptance would become, greater than a 60-day supply, having regard to his method and rate of processing and sales.

(d) *Use certificate.* (1) Each person placing, or seeking to place, a purchase order for cellulose plastics with a plastics supplier, shall furnish such plastics supplier with a certificate specifying the end use of such plastics, unless such purchase order is placed or such delivery is accepted pursuant to the provisions of paragraph (e). Such certificate may be placed on or attached to the purchase order and shall be in substantially the following form, signed manually or as provided in Priorities Regulation No. 7:

(End Use Description)

Pursuant to Supplementary Order M-326-a, the undersigned hereby certifies to the seller and to the War Production Board that the cellulose plastics covered by the accompanying purchase order will be used solely for the purposes listed above.

(Name of purchaser)	(Address)
By _____	_____
(Signature and title of duly authorized officer)	(Date)

The above certificate shall constitute a representation to, but shall not be filed with, the War Production Board.

(2) Allocations of cellulose plastics, and of cellulose ester flake to make such plastics, will be based on the essentiality of the end uses stated in the above certificates, and on the accuracy of the end use descriptions. For example, "medical appliances" would not be an acceptable description of end use, whereas "leg splints, Army (contract number)" would be acceptable. The end use description should include the governing military or Lend-Lease contract or specification numbers, if any. Plastics suppliers ordering cellulose plastics from other plastics suppliers for resale may specify as end use "resale, upon specific War Production Board authorization."

(3) In the event that two or more end uses are involved in a single purchase order, the amount of cellulose plastics required for each use shall be listed as a separate item. Each item shall bear an identifying number so that it will be possible for the plastics supplier to advise his customers, by purchase order number and item number, as to the action taken on the plastics supplier's application for authorization to make delivery.

(e) *Small order and experimental exemption.* (1) Any person may order

or accept delivery of 100 pounds or less of cellulose plastic molding powder, 50 pounds or less of cellulose plastic sheets, 50 pounds or less of cellulose plastic rods, and 50 pounds or less of cellulose plastic tubes, in the aggregate from all plastics suppliers in any calendar month, without filing a certificate pursuant to paragraph (d), to be used for any purpose not limited by other War Production Board orders (paragraph (i) (2)). Authorization by the War Production Board is required for any plastics supplier to make such small order deliveries, upon application pursuant to paragraph (f) requesting an aggregate quantity of cellulose plastics "for paragraph (e) (1) small orders."

(2) Any plastics supplier may use during any calendar month for any purpose 100 pounds or less of cellulose plastic molding powder, 50 pounds or less of cellulose plastic sheets, 50 pounds or less of cellulose plastic rods, and 50 pounds or less of cellulose plastic tubes, and may use any quantity of cellulose plastics for experimental purposes (not including samples) without specific authorization, notwithstanding the provisions of paragraph (b) (1), but subject to any restrictions on use imposed by other War Production Board orders (paragraph (i) (2)).

(f) *Applications and reports.* (1) Each plastics supplier seeking authorization to deliver cellulose plastics shall file application on Form PD-602 in the manner prescribed therein, subject to the following instructions for the purpose of this order:

Form PD-602. Copies of Form PD-602 may be obtained at local field offices of the War Production Board.

Time. Applications on Form PD-602 shall be filed in time to ensure that copies will have reached the War Production Board on or before the 10th day of the month preceding the allocation month.

Number of copies. Four copies shall be prepared, of which one shall be retained by the applicant and three certified copies shall be filed with the War Production Board, Washington, D. C., Reference M-326-a.

Number of sets. Each plastics supplier shall file consolidated sets of PD-602 applications for his various plants corresponding to his consolidated applications on Form PD-600 for cellulose ester flake pursuant to Allocation Order M-326. However, separate applications on Form PD-602 shall be made for cellulose plastic sheets, cellulose plastic rods and tubes, and cellulose plastic molding powder.

Heading. Under name of material, specify cellulose plastics; under War Production Board order number, specify M-326-a; specify as grade the particular cellulose plastic referred to in the application, such as cellulose plastic sheets, cellulose plastic rods and tubes, or cellulose plastic molding powder; specify delivery month; specify unit of measure as pounds; and otherwise fill in as indicated.

Table I. Fill in as indicated except for columns 5 and 5a, which will be left blank. Each customer shall be listed who has filed a certificate with the applicant, together with his certified end use description. In Column 7 specify quantity and grade of the cellulose ester flake required to produce the cellulose plastic in question. Request may be made for small order deliveries pursuant to paragraph (e) (1).

Rolling stock requirements. Leave blank columns relating to rolling stock.

Table II. Fill in as indicated. Specify grade as in the heading of the form, without regard to trade names or sales numbers.

(2) Each plastics supplier seeking authorization to use cellulose plastics may apply as follows:

(i) By filing application pursuant to Allocation Order M-326 for cellulose ester flake, stating in such application that such flake is required for certain cellulose plastics (Column 3) for production of specified products for specified end uses (Column 4); or

(ii) By filing application on Form PD-602, in the manner provided in Paragraph (f) (1) above, specifying his own name as customer in Column 1, describing the end use of the cellulose plastic in Column 1a and otherwise filling out the form as indicated therein.

It is recommended that the method described in paragraph (f) (2) (i) above be followed where the cellulose plastic for which authorization to use is requested will be manufactured from cellulose ester flake allocated pursuant to Order M-326, and that the method described in paragraph (f) (2) (ii) above be followed with respect to cellulose plastics which are in the plastics supplier's inventory on July 1, 1943, or which are subsequently manufactured from any stock of cellulose ester flake not subject to allocation under Order M-326.

(3) The War Production Board may require each person affected by this order to file such other reports as may be prescribed, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942, and may issue special instructions to any such person with respect to preparing and filing Form PD-602 and certificates pursuant to paragraph (c).

(g) *Plastics suppliers' intra-company deliveries.* Specific authorization shall not be required for intra-company deliveries of cellulose plastics between subdivisions of a plastics supplier, notwithstanding the provisions of § 944.12 of Priorities Regulation No. 1, as amended.

(h) *Notification of customers.* Each plastics producer is requested to notify his regular customers as soon as possible of the requirements of this order, but failure to receive such notice shall not excuse any person from complying with the terms hereof.

(i) *Miscellaneous provisions.*—(1) *Applicability of regulations.* Subject to the provisions of paragraph (g), this order and all transactions affected hereby are subject to all applicable provisions of War Production Board regulations, as amended from time to time.

(2) *Effect of other orders.* Nothing contained in this order shall be construed to limit the requirements of any other order of the War Production Board, including but not limited to Allocation Order M-326 (Cellulose Ester Flake), Limitation Order L-20 (Cellophane and Similar Transparent Materials Derived from Cellulose), Limitation Order L-233 (Photographic Film and Film Base) and General Preference

Order M-154 (Thermoplastics), as amended.

(3) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C., Ref.: M-326-a.

Issued this 8th day of June 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-9271; Filed, June 8, 1943;
11:18 a. m.]

Chapter XI—Office of Price Administration

PART 1300—PROCEDURE

[Procedural Reg. 13]

PROCEDURE APPLICABLE TO INDUSTRY ADVISORY COMMITTEES APPOINTED UNDER THE EMERGENCY PRICE CONTROL ACT OF 1942

Pursuant to the authority conferred upon the Administrator by section 2 (a) of the Emergency Price Control Act of 1942, hereafter referred to as the Act, the following rules are hereby prescribed for the appointment and administration of industry advisory committees.

§ 1300.1001 *General functions and powers of industry advisory committees.*—(a) *Functions of committees.* Under the Emergency Price Control Act of 1942, hereafter referred to as the Act, an industry advisory committee is an advisory and consultative group. The committee is designed to advise the Administrator with respect to industry matters that should be taken into consideration in preparing maximum price regulations and amendments which are consistent with the Act. The Committee may make such recommendations as it deems advisable. The advice and recommendations of the committee are for the purpose of assisting the Administrator but it is the Administrator who has the responsibility for making ultimate decisions. In general the Administrator will seek the advice of the committee in connection with all major amendments of regulations. Regardless of whether the Administrator requests consultation with the committee or the committee offers advice or recommendations on its own motion, the committee as an official organization under the Act is permitted to do such things as are reasonably necessary for the proper performance of

those functions and as are consistent with this regulation. Beyond this, however, committee members have no general immunity from the legal limitations imposed upon persons taking action together.

(b) *Purpose of procedural regulation.* In providing for the appointment of Industry Advisory Committees, it was the thought of Congress that persons who are already informed about and familiar with the industry and its problems can be of valuable help and assistance in the effectuation of the purposes of the Act in a manner not imposing undue burdens and requirements on the industry. The committees are in a position to make known to the Administrator the interests and views of industry and the persons engaged therein. In order that the maximum amount of benefit may accrue to the Administrator and industry from the appointment of committees, a plan of organization and procedure is provided herein.

§ 1300.1002 *Delegation by the Administrator.*—(a) *Powers.* The authority of the Administrator to take actions in connection with the committee or its subcommittees may be exercised by and in the name of the Price Executive of the appropriate commodity or service branch, who is referred to in this regulation as the Price Executive. However, appointments and removals of members of committees or standing subcommittees are to be made in the name of the Administrator.

(b) *Consultations: reports.* In general this regulation provides for the holding of consultative meetings with the Price Executive or a person designated by him, and for the filing of reports and recommendations with the Secretary of the Office of Price Administration.

§ 1300.1003 *Appointment of Committees.*—(a) *Time of appointment.* The Administrator will from time to time appoint industry advisory committees that are representative of an industry, nationally or regionally or both. He may appoint such a committee even though a formal request from the industry is not received, but the appointment of such a committee is not required in the absence of an appropriate request or requests from a substantial portion of an industry which is subject to maximum price regulation. If such request or requests are received before the Administrator has appointed a committee on his own motion, the Administrator will take steps, pursuant to this § 1300.1003, to appoint a committee.

(b) *Meaning of "industry."* What constitutes an "industry" will be determined by the Administrator in the light of the circumstances. In general, the relevant considerations will be those which will insure to persons subject to price regulations a means of consultation and recommendation, but which will at the same time provide a workable framework for such consultation and recommendation, taking into account the organization of the Office of Price Ad-

ministration, and avoid an undue multiplicity of committees. An "industry" may be subject to one or more regulations or orders.

(c) *Form of request.* If the Administrator has not yet appointed a Committee a request for the formation of an industry advisory committee may be made by a person subject to a maximum price regulation or order issued by the Administrator, or pursuant to authority delegated by the Administrator.

The request must be made by a written application and signed by a person who is eligible to make the request. Every such application shall be filed by individual companies or firms. The application shall be executed in triplicate and filed with the Secretary of the Office of Price Administration in Washington, D. C. The application shall include the following information:

- (1) The name of the applicant.
- (2) The nature of the applicant's business.
- (3) The maximum price regulation or order to which applicant is subject.
- (4) The industry for which the applicant desires to have the committee appointed.

(5) The geographical area that the particular industry advisory committee requested will represent. An applicant may request the appointment of a national committee, a regional committee, or either one in the alternative, or both.

A joint application may be filed by persons subject to the same price regulation or order, but such application must be signed by each of the applicants.

(d) *Composition of committee.*—(1) *National or regional.* The Administrator will determine whether it is appropriate to appoint a committee which is national or regional in scope.

(2) *Representative character.* The Administrator will as far as practicable select members in such a way that the Committee will be truly representative of the industry, or of the industry in a region, taking into account substantial differences in position and method of operation of the various concerns engaged in production and distribution, and specifically taking into account geographical location, differences between small and large concerns, between integrated and non-integrated concerns, and between members and non-members of organized trade groups.

(3) *Eligibility for membership.* Eligibility for membership on an industry advisory committee shall be determined by present occupation in a supervisory, managerial or technical capacity related to the production, distribution or use of a commodity or service by a firm in the industry.

(e) *Designation of committee.* The Administrator will follow the procedure set forth below in appointing industry advisory committees:

- (1) The Administrator will send a letter to those members of the industry whom he believes would constitute a truly representative committee, asking

each one of them to notify the Administrator if he is willing to serve on the committee.

(2) After the Administrator has secured the acceptance of a representative group of the industry, a letter of notification will be sent to each member appointed on the committee and this letter will contain the names of all the members of the committee.

(3) At the time the notice of appointment is mailed to the members of a particular committee, a letter will be sent to the Attorney General advising him of the appointment of the committee and a press release will be issued by the Administrator announcing the appointment of such committee and the membership thereof.

(4) The Administrator or Price Executive will make arrangements for an initial meeting of the committee for the purpose, among others, of electing a chairman.

(f) *Alteration of committees.* The Administrator may, from time to time, in order more fully to effectuate the Act and this regulation and the purposes thereof, enlarge, reduce or change the membership of a committee.

(g) *Vacancies.* A vacancy in a committee may occur because of the resignation or death of a member or because of removal of a member by the Administrator for cause. A member may resign by written notice filed with the Secretary of the Office of Price Administration in Washington, D. C.

Vacancies in the membership of the committee may, in the discretion of the Administrator, be allowed to stand unless the remaining members of the committee are not truly representative of the industry, or of the industry in a particular region, as the case may be.

(h) *Subcommittees.*—(1) *Standing subcommittees.* A standing subcommittee may be appointed within a committee where a particular segment of the industry presents frequent problems requiring specialized knowledge. The committee may, subject to the other provisions of this regulation, assign continuing functions to a standing subcommittee but not to a temporary subcommittee. Standing subcommittees shall be appointed by the Administrator. The committee may request the appointment of a standing subcommittee. The Administrator may appoint to a standing subcommittee persons who are not members of the committee. The provisions of paragraphs (d), (e), (f), and (g) of this § 1300.1003, with respect to committees, shall also apply to standing subcommittees.

Where a standing subcommittee has been appointed by the Administrator, it may request and obtain consultation with the Price Executive, and its recommendations may be adopted by mail vote of a majority of the full committee. (See § 1300.1006.)

(2) *Temporary subcommittees.* The committee may appoint, from its own membership, temporary subcommittees to handle special and non-recurring problems. The committee shall notify the Price Executive of the appointment

of any subcommittee and the nature of the special and non-recurring problems delegated to the subcommittee for handling.

§ 1300.1004 Officers and employees—

(a) *Chairman and vice-chairman.* The committee shall elect a chairman from among its members by a majority vote of the total committee membership. The committee may also elect a vice-chairman who shall act in the case of the unavoidable absence or inability to act of the chairman. Standing subcommittees may select a chairman and a vice-chairman in like manner.

(b) *Secretary; treasurer.* The committee may appoint a secretary and a treasurer, or one person to serve as both secretary and treasurer. Standing subcommittees may either select a secretary and treasurer in like manner or they may use the secretary and the treasurer of the committee. Appointment of a non-member of the committee as secretary-treasurer, or in any other capacity, does not constitute the person appointed a member of the committee.

The chairman, or the secretary, or such other person as the committee may designate, shall be responsible for the keeping of minutes at meetings called by the chairman.

The chairman, or the treasurer, or such other person as the committee may designate, shall be responsible for administering the receipts and disbursements of the committee, and the keeping of financial accounts.

(c) *Other assistants.* The committee may hire other assistants.

§ 1300.1005 *Administration of committees.*—(a) *By-laws.* The committee may adopt reasonable by-laws not inconsistent with this regulation. The committee's by-laws shall be filed in triplicate with the Secretary of the Office of Price Administration. The Administrator may disapprove by-laws that are in his judgment unreasonable, inequitable, not consistent with law, or not appropriate to the effectuation of the purposes of this regulation and the Act. Failure to disapprove the by-laws shall not be regarded as approval thereof.

(b) *Committee meetings.* Meetings of a committee or subcommittee may be called by the chairman thereof, or by the Administrator or Price Executive for purposes of consultation.

Meetings called by the chairman shall be held at such times as may seem proper to him. When a majority of the committee or subcommittee request a meeting he shall call such meeting within a reasonable time thereafter. In calling a meeting, the chairman shall prepare a written notice specifying the time and place of the meeting and the proposed agenda, and shall send such notice to all the members of the committee or subcommittee and to the Price Executive. Such meetings shall be held not less than ten days after the mailing of the notices, unless the chairman specifically states in the notice that the exigencies of the situation are such that the ten day period must be waived.

The Administrator or Price Executive may call a meeting for purposes of con-

sultation, and designate an appropriate member of the staff as the representative of the Office of Price Administration to conduct the meeting. Other members of the staff of the Office of Price Administration may participate in the meeting; in general, only a small number of such persons shall attend. At such meetings, persons who are not members of the committee or of the staff of the Office of Price Administration may be present if they have received a written invitation from the Administrator or the Price Executive.

(c) *Quorum.* Action taken by the members of a committee will not be recognized as action of the committee unless a quorum is present. Two-thirds of the total membership of a committee or subcommittee shall constitute a quorum. A member may not select a non-member as an alternate to act in his place.

(d) *Minutes of meetings.* Minutes shall be kept of all meetings of either the committee or any subcommittee. Within fifteen days after a meeting called by the chairman of a committee or subcommittee, copies of these minutes, in triplicate, shall be filed with the Secretary of the Office of Price Administration. After a meeting for consultation called by the Administrator or Price Executive, copies of the minutes will be sent by the Office of Price Administration to the chairman of the committee or subcommittee.

(e) *Finances.*—(1) *Receipt of voluntary contributions.* The committee may request and receive contributions for its maintenance. Its expenses may include salaries and travel expenses of the members and staff. The committee may state a specific sum which seems to the committee to represent a particular company's fair share of the expenses of the committee; but if the committee does state a specific sum it must state the basis upon which the sum was determined and must also state that the particular company need not contribute to the expenses of the committee unless it so desires.

Contributions in excess of an amount reasonably necessary for the committee to perform its functions under the Act may not be requested or received.

(2) *Financial reports to Administrator.* Within 30 days after March 31, June 30, September 30, and December 31, of any year, the chairman shall file in triplicate with the Secretary of the Office of Price Administration, a report of (a) the assets and liabilities of the committee on such date and (b) the committee's receipts and disbursements during the three preceding months.

§ 1300.1006 *Formal action by committees.*—(a) *Consultation with Administrator.* In addition to meetings called in the absence of formal request, the Price Executive will upon request, consult with a committee or with a standing subcommittee with respect to a regulation or order governing all or a part of an industry, or with respect to the form of such regulation or order, or with respect to classifications, differentiations, and adjustments in such regulation or order.

The chairman of the committee or standing subcommittee, as the case may be, shall notify the Price Executive if the committee or subcommittee desires a meeting for such consultation, and the Price Executive will arrange a meeting, advising the chairman of the meeting date. Such meetings shall be held as provided in the third paragraph of § 1300.1005 (b) of this regulation.

(b) *Recommendations*—(1) *Necessity for meetings.* No representation or recommendation made to the Administrator shall be regarded as coming from the committee, unless such representation or recommendation was agreed to by a majority of the members present at a meeting duly called under this regulation, at which meeting a full opportunity for discussion of the proposed representation or recommendation was afforded all members.

A representation or recommendation agreed to by a majority of the members of a standing subcommittee present at a meeting duly called under this regulation may be adopted by the members of the committee by mail. However, if any member of the committee so requests in writing, the chairman shall place the proposed representation or recommendation upon the agenda of the next meeting for general discussion.

(2) *Filing with Office of Price Administration.* Recommendations to the Administrator shall be made in triplicate and filed with the Secretary of the Office of Price Administration. Such reports shall be signed by the chairman of the committee and shall contain the statement that a majority of the members present at a duly held meeting have voted in favor of such report or recommendation. Any minority report or recommendation shall be submitted in the same form and at the same time. In the event of a minority report or at the request of any member of the committee, the secretary of the committee shall certify the number voting for the majority report or recommendation, and for the minority report and recommendation if there be any.

A subcommittee may not make reports and recommendations directly to the Administrator. However, if the committee refuses to adopt the report or recommendation of a standing or temporary subcommittee, the chairman of the subcommittee may transmit two copies of its report or recommendation to the Price Executive together with the notation of its failure of adoption by the committee.

§ 1300.1007 *Committees organized prior to the effective date of this regulation.* A committee that was appointed prior to the effective date of this regulation shall continue to function as such. However, such a committee should follow the procedure required herein in all action taken after the effective date of this regulation.

§ 1300.1008 *Notice to committees of this regulation.* Copies of this regulation shall be furnished to the chairman of each committee for its guidance.

This regulation shall become effective June 12, 1943.

Issued this 7th day of June 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-9215; Filed, June 7, 1943; 4:52 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1A, Amdt. 32]

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order No. 1A is amended in the following respects:

1. Section 1315.506 (a) (1) (i) is amended to read as follows:

(i) Certificates for the purchase of tractor or implement-type tires only may be issued for farm tractors or other farm implements. Such certificates may be used to purchase tractor, implement, industrial-type or Grade III tires. However, if a front wheel tractor, implement, industrial-type or Grade III tire of suitable size is not available, the Board may issue a certificate for a Grade I tire.

2. Section 1315.603 (b) is amended by deleting the phrase "and no inspector shall certify that a tire can be recapped unless he removes the tire from the wheel or rim" appearing in the first sentence thereof.

3. Section 1315.611 (c) (2) is amended by inserting the word "new" before the word "passenger".

4. Section 1315.611 (c) (3) is added to read as follows:

(3) Any dealer may in exchange for a certificate for a passenger-type tire transfer to the holder thereof a passenger-type tire of any size suitable for use on the vehicle for which the certificate was issued.

5. Section 1315.611 (c) (4) is added to read as follows:

(4) Any dealer may in exchange for a certificate for a passenger tube transfer to be the holder thereof a new passenger tube of any size suitable for use on the vehicle for which the certificate was issued.

6. Section 1315.611 (c) (5) is added to read as follows:

(5) Any dealer may in exchange for a certificate for a tractor or implement-type tire transfer to the holder thereof a tractor, implement, industrial-type or Grade III tire.

*Copies may be obtained from the Office of Price Administration.

7 F. R. 9160, 9392, 9724, 10072, 10336, 435, 606, 1585, 1628, 1629, 189, 200, 248, 2152, 2670, 2595, 2600, 2719, 3071, 3314, 3521, 3702, 3837, 4179, 4628, 4769, 4849, 5483, 5477, 5565, 6735, 6736.

7. The table set forth in § 1315.804 (c) (3) is amended to read as follows:

If Part B calls for—		Dealer or manufacturer may replenish with—
Any size Grade I tire	-----	Any size Grade I or III tire.
Any size Grade II tire	-----	Any size Grade I or III tire.
Any size Grade III tire	-----	Any size Grade III tire.
Any size Grade I or II tire only	-----	Any size Grade I tire.
Any size truck-type tire	-----	Any size truck, tractor, implement-type or Grade III tire.
Any size tractor or implement - type tire	-----	Any size tractor, implement, industrial-type or Grade III tire.
Any size passenger tube	-----	Any size new passenger tube.
Any size truck tube	-----	Any size new truck or new passenger tube.

8. Section 1315.806 (g) is amended to read as follows:

(g) *Turn in of tires or tubes to be replaced.* (1) A consumer who holds a certificate for a tire or tube and who is required to turn in the replaced tire or tube shall transfer it to a dealer in accordance with the provisions of § 1315.610.

(2) A dealer receiving a tire, including a scrap tire, under this paragraph must attach to it a tag on which is stated the serial number of the tire, the date upon which it was turned in, the name of the certificate holder who turned it in and the serial number of the certificate. The dealer must hold such tire for at least thirty (30) days unless instructed to hold it for a longer or shorter period by an Office of Price Administration representative authorized to give such instructions. All tires held by a dealer under this paragraph must be segregated from any other tires and kept readily available for inspection.

(3) Defective tires acquired by a dealer under this paragraph may be transferred at any time (without certificate) to his supplier for adjustment provided the dealer maintains the following records:

(i) The serial number, size and type of the tire transferred;

(ii) The name and address of the certificate holder who turned the tire in and the serial number of the certificate;

(iii) The name and address of the supplier to whom the tire was transferred and the date of the transfer; and

(iv) A description of the defective condition of the tire.

This amendment shall become effective June 12, 1943.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law No. 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, W.P.B. Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 7th day of June, 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-9219; Filed, June 7, 1943;
4:55 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[Rev. MPR 237,¹ Amdt. 3]

FIXED MARK-UP REGULATION FOR SALES OF CERTAIN FOOD PRODUCTS AT WHOLESALE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 237 is amended in the following respects:

1. Section 1 (c) is amended to read as follows:

(c) *Purpose of this regulation.* This regulation provides new maximum prices for the particular food products listed in Appendix A. These new maximum prices are to be the only maximum prices for all sales of such food products after the effective date of this regulation and are to be used instead of the maximum prices calculated under any other price regulation or order issued by the Office of Price Administration, except as otherwise provided in any order which has been or may be issued by the Office of Price Administration pursuant to General Order No. 51.²

2. Section 1 (d) is amended to read as follows:

(d) *Prohibition.* On and after May 10, 1943, regardless of any contract or obligation, no person is permitted to sell or deliver at wholesale any of the food products listed in Appendix A at a price which is higher than the maximum price fixed by this regulation, and no person is permitted to buy or receive any of these food products in the course of trade or business at a price higher than that maximum price, except as otherwise provided in any order which has been or may be issued by the Office of Price Administration pursuant to General Order 51. Lower prices than the maximum prices may be charged and paid.

3. Section 13 is amended to read as follows:

SEC. 13 *Community and dollars-and-cents prices.* From time to time, the Office of Price Administration may, by order, fix community and dollars-and-cents maximum prices for some or all of the food products covered by this regulation.

These orders will specify the locality and classes of wholesalers for which the

community and dollars-and-cents prices will replace maximum prices figured under this regulation. Where the orders do not specify the class and locality of any particular wholesaler, he shall continue to calculate his maximum prices under this regulation, except as may otherwise be provided in such orders.

This amendment shall become effective June 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of June 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-9222; Filed, June 7, 1943;
4:57 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[Rev. MPR 238,¹ Amdt. 2]

FIXED MARK-UP REGULATION FOR SALES OF CERTAIN FOOD PRODUCTS AT RETAIL

A statement of the considerations involved in the issuance of amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 238 is amended in the following respects:

1. Section 1 (c) is amended to read as follows:

(c) *Purpose of this regulation.* This regulation provides new maximum prices for the particular food products listed in Appendix A. These new maximum prices are to be the only maximum prices for all sales of such food products after the effective date of this regulation and are to be used instead of the maximum prices calculated under any other price regulation or order issued by the Office of Price Administration, except as otherwise provided in any order which has been or may be issued by the Office of Price Administration pursuant to General Order No. 51.²

2. Section 1 (d) is amended to read as follows:

(d) *Prohibition.* On and after May 10, 1943, regardless of any contract or obligation, no person is permitted to sell or deliver at retail any of the food products listed in Appendix A at a price which is higher than the maximum price fixed by this regulation, and no person is permitted to buy or receive any of these food products in the course of trade or business at a price higher than that maximum price, except as otherwise provided in any order which has been or may be issued by the Office of Price Administration pursuant to General Order No. 51. Lower prices than the maximum prices may be charged and paid.

3. Section 14 is amended to read as follows:

SEC. 14 *Community and dollars-and-cents maximum prices.* From time to

time the Office of Price Administration may, by order, fix community and dollars-and-cents maximum prices for some or all of the food products covered by this regulation.

These orders will specify the locality and classes of retailers for which the community and dollars-and-cents prices will replace maximum prices calculated under this regulation. Where the orders do not specify the class and locality of any particular retailer, he shall continue to calculate his maximum prices under this regulation, except as may otherwise be provided in such orders.

This amendment shall become effective June 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of June 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-9223; Filed, June 7, 1943;
4:57 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[Rev. MPR 268,¹ Amdt. 2]

SALES OF CERTAIN PERISHABLE FOOD COMMODITIES AT RETAIL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 268 is amended in the following respects:

1. Section 1 (c) is amended to read as follows:

(c) *Purposes of this regulation.* This regulation provides new maximum prices for the particular food commodities listed in Appendix A. These maximum prices are to be the only maximum prices for all sales at retail of such food commodities after the effective date of this regulation and are to be used instead of the maximum prices established by any other applicable price regulation or order issued by the Office of Price Administration, except as otherwise provided in any order which has been or may be issued by the Office of Price Administration pursuant to General Order No. 51.²

2. Section 1 (d) is amended to read as follows:

(d) *Prohibition.* On and after May 10, 1943, regardless of any contract or other obligation, no person is permitted to sell or deliver at retail any of the food commodities listed in Appendix A at a price which is higher than the maximum price fixed by this regulation, and no person is permitted to buy or receive any of these food commodities at a price higher than that maximum price, except as otherwise provided in any order which has been or may be issued by the Office of Price Administration pursuant to General Order No. 51. Lower prices than

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 6120, 6424.

² 8 F.R. 6008, 6071.

¹ 8 F.R. 6125, 6424.

² 8 F.R. 6008, 6071.

¹ 8 F.R. 6129.

² 8 F.R. 6008, 6071.

the maximum prices may be charged and paid.

3. Section 12 is amended to read as follows:

SEC. 12 A community and dollars-and-cents prices. From time to time the Office of Price Administration may, by order, fix community and dollars-and-cents maximum prices for some or all of the food products covered by this regulation.

These orders will specify the locality and classes of retailers for which the community and dollars-and-cents prices will replace maximum prices figured under this regulation. Where the orders do not specify the class and locality of any particular retailer, he shall continue to figure his maximum prices under this regulation, except as may otherwise be provided in such orders.

This amendment shall become effective June 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of June 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-9221; Filed, June 7, 1943; 4:56 p. m.]

PART 1375—EXPORT PRICES

[2d Rev. Max. Export Price Reg., Amdt. 2³]

MISCELLANEOUS AMENDMENTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The 2d Revised Maximum Export Price Regulation is amended in the following respects:

1. Section 12 is amended to read as follows:

SEC. 12 *Petitions for adjustment.* Any person seeking an adjustment of a provision of the 2d Revised Maximum Export Price Regulation relating to sales to a procurement agency of the United States for the account of the Office of Lend-Lease Administration, may file a petition for adjustment in accordance with provisions of Revised Procedural Regulation No. 6.

Any person seeking an adjustment of any other provision of this 2d Revised Maximum Export Price Regulation may file a petition for adjustment in accordance with provisions of Revised Procedural Regulation No. 1.

2. Section 14 is amended to read as follows:

SEC. 14 *Existing maximum price schedules, regulations or orders.* No provision of any maximum price schedule, regulation or order heretofore promulgated by the Office of Price Administration shall be deemed to authorize any action inconsistent with the provisions of this regulation and, to the extent that the provisions of any existing schedule,

regulation or order are inconsistent or in conflict with the provisions of the Maximum Export Price Regulation, such provisions are hereby revoked and superseded.

Provided, however, That on sales in the territories and possessions of the United States this 2d Revised Maximum Export Price Regulation shall not operate to permit maximum prices in excess of the maximum prices established by any maximum price regulation, price schedule, or order applicable to any sale in those territories or possessions to any purchaser within those territories or possessions.

Nothing in this regulation shall be construed as superseding any provision in any schedule, regulation, or order issued by the Office of Price Administration which requires the filing or reporting of the prices charged on sales to procurement agencies buying for the account of the Office of Lend-Lease Administration.

This amendment shall become effective June 12, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 7th day of June 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-9224; Filed, June 7, 1943; 4:57 p. m.]

PART 1381—SOFTWOOD LUMBER

[MPR 402]

WESTERN RED CEDAR LUMBER

In the judgment of the Price Administrator it is necessary and proper to establish specific maximum prices for the sale of Western red cedar lumber. The Price Administrator has ascertained and given due consideration to the prices of Western red cedar lumber prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

§ 1381.551 *Maximum prices for Western red cedar lumber.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 402 (Western Red Cedar Lumber), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1381.551 Issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

MAXIMUM PRICE REGULATION 402—WESTERN RED CEDAR LUMBER

ARTICLE I—SCOPE OF THE REGULATION

- Sec.
- 1 Prices higher than ceiling prohibited.
 - 2 What products are covered.
 - 3 What transactions are covered.
 - 4 What persons are covered.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

- 5 Basic prices and cash discount.
- 6 Direct-mill retail sales.
- 7 Sales on delivered basis.
- 8 Mixed car or mixed truck shipments.
- 9 Sales for export.
- 10 Lumber produced in Canada.
- 11 Maximum prices for Alaskan lumber.
- 12 Grades, services, or extras not listed.

ARTICLE III—SPECIFIC DUTIES AND PRIVILEGES AND PROHIBITED PRACTICES

- 13 What the invoice must contain.
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- 16 Adjustable pricing.

ARTICLE IV—MISCELLANEOUS

- 17 Petitions for adjustment or amendment.
- 18 Enforcement.
- 19 Licensing.
- 20 Relation to other regulations.

ARTICLE V—PRICE TABLES AND GENERAL NOTES

ARTICLE VI—TABLES OF PERMITTED ESTIMATED WEIGHTS

Article I—Scope of the Regulation

SECTION 1 *Prices higher than ceiling prohibited.* (a) On and after June 12, 1943, regardless of any contract or other obligation, no person shall sell or deliver, and no person shall buy or receive in the course of trade or business, any Western red cedar lumber for direct-mill shipment at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer, or attempt to do any of these things.

(b) Prices lower than the maximum prices may, of course, be charged and paid.

SEC. 2. *What products are covered.* This regulation covers all Western red cedar (*Thuja plicata*) lumber produced in those parts of Oregon, Washington, and Canada lying west of the crest of the Cascade Mountains, and in California and Alaska. Any such lumber produced in these areas is covered, regardless of the kind of mill or plant in which it is produced. The regulation applies whether the particular item is specifically priced in the price tables or not.

SEC. 3 *What transactions are covered—(a) Direct-mill shipments.* This ceiling applies to all shipments originating at a mill, no matter who the seller is, and no matter whether he usually is known as a mill, wholesaler, retailer, or anything else. It does not apply to sales out of distribution yard stock. (The prices for yard sales may be found either in Maximum Price Regulation No. 215¹ or in the General Maximum Price Regulation,² depending on the nature of the sale and the purchaser.) A shipment is regarded as originating at a mill if the lumber reaches the purchaser without ever becoming an integral part of the stock of a distribution yard. A sale is

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 4132, 5987.

² 8 F.R. 3789, 5565, 6446.

³ 8 F.R. 3096, 3849, 4347, 4486, 4724, 4978, 4848.

considered a sale out of distribution yard stock only if the lumber was a part of regular yard stock at the time the sale was made. For example, if a retail yard takes an order for a defense housing project, and then brings the lumber from a mill, puts it in its yard, and delivers it as needed, the sale is subject to this regulation.

(b) *How to tell a mill from a distribution yard.* The term "mill", as used here, covers what are known in the trade as sawmills, planing mills, and concentration yards. Three types of establishment are described below: the first, (1), a typical sawmill or planing mill; the second, (2), a typical concentration yard; and the third, (3), a typical distribution yard. An establishment which resembles (1) or (2) more than it does (3) is considered a mill; and one which resembles (3) more than it does (1) or (2) is considered a distribution yard:

(1) "A typical sawmill or planing mill" is an establishment which is chiefly engaged in manufacturing West Coast species of lumber from logs or rough lumber by sawing or planing, and which is located in or near a lumber producing area;

(2) "A typical concentration yard" is an establishment which concentrates and prepares lumber for commercial shipment, which keeps in stock mostly West Coast species of lumber, which has its lumber brought in chiefly in rough green form by truck from small local sawmills and sells chiefly for rail shipment, and which has been located at its particular site to be near the lumber producing area;

(3) "A typical distribution yard" is a wholesale or retail lumber yard which gets lumber from mills or other yards; unloads, sorts, stores, and resells or redistributes it; which regularly maintains a varied stock of lumber from different regions; which gets its lumber, except for local species, mostly by rail and sells mostly for truck shipment; which is equipped to make quick deliveries of many different items of lumber; and which has been located at its particular site in order to be near a lumber consuming area.

(c) *No quantity limits.* There are no quantity limits on the transactions covered by this regulation. All direct-mill sales, large or small, are covered.

(d) "CPA yards" as defined in Maximum Price Regulation 215¹ are considered distribution yards, regardless of any of the above requirements.

SEC. 4 *What persons are covered.* Any person who makes the kind of sale or purchase described above, for himself or others, is subject to this regulation. The term "person" includes an individual, corporation, partnership, association or any other organized group, their legal successors and representatives, the United States or any government or any of their political subdivisions or any agency of any of the foregoing.

Article II—Maximum Prices and Terms of Sale

SEC. 5 *Basic prices and cash discount—(a) Basic prices.* The maximum

prices f. o. b. mill are set forth in Article V—Price Tables.

(b) *Cash discount.* If cash is paid the maximum price must be reduced by the seller's August 1941 cash discount. For example, if the August 1941 discount for cash was 2%, and the maximum price without discount according to this regulation is \$30.00, the maximum price when cash is paid is \$29.40. In any case, on specific written allocations issued by the Office of the Chief of Engineers, War Department, the term 30 days net may be used regardless of former practices.

SEC. 6 *Direct-mill retail sales.* An addition of \$3.50 per thousand board feet may be made on a sale of less than 18,000 ft. BM (or less than carload if by rail), to any buyer who does not purchase for resale, where the shipment originates at a mill and the seller:

(a) Sees that the lumber is delivered to the job site at such time and in such manner as the buyer specifies;

(b) Gives the buyer the privilege of exchanging the lumber and returning unused material; and

(c) Agrees to make good any shortage promptly from stocks kept on hand for this purpose.

The size of the sale is determined by the total quantity involved in the transaction without regard to whether it is broken up into smaller orders or deliveries.

SEC. 7 *Sales on delivered basis—(a) Rail charges.* (1) Only two methods of selling are recognized by this regulation. Any other method is prohibited, as a device to evade the ceiling by manipulation of freight.

The two permitted methods are: on a delivered basis using the estimated weights in Article VI, or on an f. o. b. mill basis with actual freight (figured, of course, on actual weights) to be paid by the purchaser.

The two methods may not be combined in a single transaction; that is, a seller may not sell on a basis which gives him the benefit of favorable estimated weights but require the use of actual weights on items where estimated weights would be unfavorable to him. Note that sales described as "ceiling delivered", or as f. o. b. mill with freight paid or included to a given destination, are to be treated as sales on a delivered basis. In such cases, the given estimated weights must be used. However, sales f. o. b. mill with seller to pay the freight to a stated destination and include it in his invoice to the buyer is a sale on an f. o. b. mill basis, and settlement on the basis of the actual weights must be made.

(2) The estimated green weights may be used only when green lumber is actually specified and shipped.

(3) The transportation charge, when estimated weights are used, must be evened out to the nearest quarter-dollar per 1,000 feet board measure or surface measure, as the case may be.

(b) *Common or contract carrier (other than rail).* Where transportation is by common or contract carrier (other than rail) the only rule is that actual cost of transportation may be added to the f. o. b. mill ceiling.

(c) *Private truck.* When shipment is by truck owned or controlled by the

seller, the following amounts may be added for transportation: For distances up to and including 10 miles, \$1.50 per M'; over 10 and up to and including 20 miles, \$2.00 per M'; and over 20 and up to and including 30 miles, \$2.50 per M'. Where the distance is greater than 30 miles, the seller may charge the amount of the railroad charge at the carload rate for the most similar haul or \$3.00 per M', whichever is greater. Distance, as used in this paragraph, means the distance from the mill to the point of destination as measured by the speedometer. No addition may be made for the return trip.

(d) *Trucking to rail shipping point.* When a truck haul precedes rail shipment, as when a mill located away from a railroad hauls lumber by truck to the railroad, no addition may be made for the truck haul. However, in the following three cases a mill may apply for special permission to make an addition:

(1) Where the mill was located away from rail connections because it specialized in water-borne lumber, and where shortage of shipping has forced it to operate by rail;

(2) Where the mill, prior to the shortage of tires and gasoline, shipped lumber to the particular final destination principally by all-truck haul, and now wishes to convert to truck-and-rail haul to save tires and gasoline, and is a substantial distance from a railroad.

(3) Where a mill's rail connection has been abandoned since September 5, 1941, and it has no comparable rail shipping point.

The application should be made by letter to the Lumber Branch of the Office of Price Administration, Washington, D. C., and may be acted upon by letter or telegram. The addition may not be made on quotations or sales until permission has been received.

(e) *Truck delivery after rail haul.* When truck delivery to yard or job site follows a rail haul, and is specified in the order, the actual cost of truck delivery may be added. This may include the actual cost of handling and reloading involved in transfer from rail cars to trucks.

(f) *All-truck haul.* When an all-truck haul ends in delivery to the job site, no special addition may be made above the charges provided in paragraphs (b) and (c) of this section.

(g) *California mills.* Regardless of other provisions of this section, if shipment originates at a mill located in California, and is delivered to the purchaser within California, the addition for transportation may be computed by multiplying the estimated weights shown in Article VI by the applicable freight rate from Portland, Oregon to the California destination.

SEC. 8 *Mixed car or mixed truck shipments.* \$2.00 additional per MBM may be charged for mixed car or mixed truck shipments. A mixed car shipment is one which contains lumber of four or more classifications, with at least 1000 board feet in each classification. A mixed truck shipment includes four or more classifications, with at least 250 board feet in

¹ 8 F.R. 3789, 5565, 6448.

each classification. Each group of items covered by a separate table in Article V shall be regarded as a "classification".

Sec. 9 Sales for export. The maximum prices for export sales of Western red cedar lumber are governed by the Second Revised Maximum Export Price Regulation.⁸

Sec. 10 Lumber produced in Canada. The maximum prices for lumber produced in Canada west of the crest of the Cascade Mountains and sold in the United States shall be the maximum prices f. o. b. mill set forth in Article V plus additions for transportation permitted by Section 7. However, the amount of the transportation addition may not be greater than if the shipment had originated at Seattle, Washington.

Sec. 11 Maximum prices for Alaskan lumber. (a) The maximum prices f. o. b. mill for shipments originating in Alaska and delivered to points outside the continental United States shall be the maximum f. o. b. mill prices set forth in Article V plus an amount equal to freight under the Maritime Commission's published freight rate from Seattle, Washington, to the mill's shipping point, including surcharges, War Risk Insurance, and wharfage and handling charges under the published Seattle Wharfage and Handling rate for comparable lumber.

(b) The maximum delivered prices for shipments originating in Alaska shall be the maximum price arrived at according to paragraph (a) plus transportation charges permitted by section 7.

Sec. 12 Grades, services, or extras not listed. (a) If a seller wishes to sell a grade which is not specifically priced in the price tables, or wishes to make an addition for special workings, specifications, services, or other extras for which additions are not specifically permitted, he must apply to the Lumber Branch, Office of Price Administration, Washington, D. C., for a maximum price. He must provide the following information:

- (1) The requested price;
- (2) A complete description of the item to be priced;
- (3) The price differential between it and the most comparable item in the price tables, between October 1, 1941 and June 1, 1942, from the seller's own records, or if that is impossible, from the experience of the trade. If no established price differential which can be used for comparison existed, a detailed analysis of the calculation of the price should be furnished.

(b) As soon as the request has been filed, quotations and deliveries may be made at the requested price, but the final payment may not be made until the price has been approved. Action on the request may be by letter or telegram.

Article III—Specific Duties and Privileges and Prohibited Practices

Sec. 13 What the invoice must contain—(a) F. o. b. mill price. All invoices must contain a sufficiently complete description of the lumber to show whether the price is proper or not. Any working, specification, or extra which affects the maximum f. o. b. mill prices must be

mentioned in the description. The amount added for these does not have to be separately shown.

(b) **Charges for transportation.** In all delivered sales, the invoice must show the:

- (1) Point of origin of shipment;
- (2) Destination;
- (3) Rail rate, if estimated weights are used; otherwise the actual amount added for transportation;
- (4) The words "Direct-mill shipment".

(c) **Delivery and related charges.** Any separate charge which the seller is permitted to make for truck delivery after rail haul, or for trucking to railhead, must be separately shown on the invoice.

(d) **Direct-mill retail sale.** If the "direct-mill retail sale" mark-up is permissible and is added, this must be separately indicated in the invoice.

Sec. 14 What records must be kept. All sellers and all buyers of Western red cedar lumber must retain a copy of the invoice covering each transaction or maintain records in other form containing all the information required to be shown on the invoice according to section 13. These records must be retained for two years, for inspection by the Office of Price Administration.

Sec. 15 Prohibited practices—(a) General. Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to changes in credit practices and cash discounts and to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying agreements, trade understandings and the like.

(b) **Specific practices.** The following are some of the specific practices prohibited:

- (1) Getting the effect of a higher price by changing credit practices from what they were in August 1941. This includes decreasing credit periods or making greater charges for extension of credit.
- (2) Refusing, without good reason, to ship except in specified or restricted random lengths, or in mixed cars, or under other circumstances which bring the seller an extra return.
- (3) Selling as specified lengths or widths, a specific lot or shipment of lumber which is substantially equivalent to random lengths or widths, or reselling intact as specified lengths or widths a specific lot or shipment bought by the seller as standard or random lengths or widths, unless specifically permitted in the price tables. This prohibition shall not apply to shipments or deliveries which have been sorted out as to widths and lengths and then resold.
- (4) Grading as a special grade lumber which can be graded as a standard grade; or wrongly or falsely grading or invoicing lumber.
- (5) Making additions for special specifications, services, or other extras which are not specifically permitted.
- (6) Refusing to sell on an f. o. b. mill basis, and insisting on selling on a delivered basis.
- (7) Failing to invoice properly and in accordance with the requirements of this regulation.

(8) Unnecessarily routing lumber through a distribution yard.

(9) Quoting a gross price above the maximum price, even if accompanied by a discount the effect of which is to bring the net price below the maximum.

(10) Making additions for kiln-drying or other services, treatments, or specifications unless they are expressly ordered by the buyer.

(11) Making the buyer take something he does not want in order to get what he does want; for example, making a buyer who orders No. 2 boards take all the upper grades that develop.

(12) Breaking up an order or apportioning deliveries in order to get the \$3.50 direct-mill retail sale addition.

(c) **Adding commission to ceiling prohibited.** It is unlawful for any person to charge, receive, or pay a commission for the service of procuring, buying, selling, or locating lumber, or for any related service (such as "expediting") which does not involve physical handling of lumber, if the commission plus the purchase price results in a total payment by the buyer of lumber which is higher than the maximum price of the lumber. For purposes of this regulation, a commission is any service charge or payment which is figured either directly or indirectly on the basis of the quantity, price, or value of the lumber in connection with which the service is performed.

(d) **Combination grades.** Lumber sold on combination grades may not be sold above the maximum price for the lowest priced grade actually named in the combination. For example, the maximum price for lumber sold as No. 2 and better is the maximum price fixed for No. 2 lumber. But it is permissible to quote with specified percentages of higher grades, *Provided*, That when the lumber is shipped, lumber of each grade is tallied on a board foot basis and invoiced separately at prices not in excess of ceiling prices for the respective grades.

Sec. 16 Adjustable pricing. Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

Article IV—Miscellaneous

Sec. 17 Petitions for adjustment or amendment—(a) Government contracts. (1) The term "Government contract" is

⁸ 8 FR. 4132, 4132, 5987.

here used to include any contract with the United States or any of its agencies or with the government or any governmental agency of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the Defense of the United States". The term also includes any subcontract under this kind of contract.

(2) Any person who has entered into or proposed to enter into a "Government contract", who believes that the maximum prices established by this regulation impede or threaten to impede production of Western red cedar lumber essential to the war program, may file an application for adjustment in accordance with Procedural Regulation No. 6⁴ issued by the Office of Price Administration. As soon as the application is filed, contracts, deliveries, and payments may be made at the requested price, subject to refund if the requested price is disapproved or lowered. The seller must notify the buyer that the delivery is made subject to this refund.

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1⁵ issued by the Office of Price Administration.

SEC. 18 Enforcement. (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for suspension of licenses provided for by the Emergency Price Control Act of 1942, as amended.

(b) War procurement agencies and their contracting or paying finance officers are not subject to any liability, civil or criminal, imposed by this regulation. Persons who make sales covered by this regulation to war procurement agencies and buyers to whom lumber has been allocated by any such agencies are, however, subject to all the liabilities imposed by this regulation. "War procurement agencies" include the War Department, the Navy Department, the United States Maritime Commission and the Lend-Lease Section in the Procurement Division of the Treasury Department, or any of their agencies.

SEC. 19 Licensing. All sellers under this regulation, except mills, are licensed by Supplementary Order 18. This order, in brief, provides that a license is necessary, except for mills, to make sales under this regulation. A license is automatically granted to all sellers making these sales. It is not necessary to apply specially for the license, but a registration may later be required. The Emergency Price Control Act of 1942, as amended, and Supplementary Order 18 tell the circumstances under which licenses may be suspended. The license cannot be transferred.

SEC. 20 Relation to other regulations. Any sale or delivery covered by this regulation is not subject to the General Maximum Price Regulation.⁶

⁴ 7 F.R. 5087, 5664; 8 F.R. 6173, 6174.

⁵ 7 F.R. 8961; 8 F.R. 3313, 3533.

⁶ 8 F.R. 3096, 849, 4347, 4486, 4724, 4973, 4848.

Article V—Price Tables and General Notes

The maximum prices for Western Red Cedar Lumber, f. o. b. mill, for one thousand feet board measure or other measure where so designated, shall be as follows:

TABLE 1—BEVEL SIDING

Regular loading, dry bundled, mixed grain per M'BM	Clear	A	B	C	No. 3 common reroofing
1/2" x 4"-6' to 16' or longer R/L, N. B.	\$31.00	\$28.00	\$22.00		
1/2" x 4"-6' and 7', N. B.	19.50	18.00	15.50		
1/2" x 4"-4' and 5', N. B.	16.50	14.50	12.50		
1/2" x 4"-3' and 3 1/2', N. B.	12.00	9.00	8.00		
1/2" x 4"-3' to 16' or longer R/L, N. B.				\$13.00	\$11.00
1/2" x 4"-3' to 16' or longer R/L, O. B.					
1/2" x 5"-6' to 16' or longer R/L, N. B.	35.00	27.00	23.00		
1/2" x 5"-6' and 7', N. B.	27.00	21.00	17.00		
1/2" x 5"-4' and 5', N. B.	25.00	18.00	14.00		
1/2" x 5"-3' and 3 1/2', N. B.	15.00	14.00	12.00		
1/2" x 5"-3' to 16' or longer R/L, N. B.				14.00	
1/2" x 5"-3' to 16' or longer R/L, O. B.					
1/2" x 6"-6' and 7', N. B.	48.00	41.00	35.00		
1/2" x 6"-4' and 5', N. B.	30.00	26.00	20.00		12.00
1/2" x 6"-3' and 3 1/2', N. B.	26.00	22.00	17.00		11.00
1/2" x 6"-3' to 16' or longer R/L, N. B.	22.00	20.00	15.00		10.00
1/2" x 6"-3' to 16' or longer R/L, O. B.					19.00
1/2" x 6"-3' to 16' or longer R/L, N. B.					12.00
1/2" x 8"-6' and 7', N. B.	57.00	56.00	44.00		
1/2" x 8"-4' and 5', N. B.	33.00	32.00	28.00		14.00
1/2" x 8"-3' and 3 1/2', N. B.	30.00	29.00	25.00		
1/2" x 8"-3' to 16' or longer R/L, N. B.	20.00	19.00	16.00		12.00
1/2" x 8"-3' to 16' or longer R/L, O. B.					19.00

NOTES

Lengths:

1. Specified lengths add \$3.00 per M'BM.

2. Random lengths as set forth in Standard Grading and Dressing Rules No. 12, paragraph 734.

Working charges:

3. Rabbetted siding add \$2.50 per M'BM.

Miscellaneous:

4. For old bundling where new bundling specified add \$2.00 per M'BM, the usual percentage of short lengths to be included.

5. Deduct \$1.00 per M'BM for orders totaling 35 M' or more in one shipment.

TABLE 2—BUNGALOW SIDING

Regular loading, dry mixed grain, bundled per M'BM	Clear	A	B	C
1/2" x 8"-6' to 16' or longer R/L, N. B.	\$67.00	\$65.00	\$50.00	
1/2" x 8"-3' to 7', N. B.	43.00	39.00	29.00	
1/2" x 8"-3' to 16' or longer R/L, O. B.				\$22.00
1/2" x 10"-6' to 16' or longer, R/L, N. B.	73.00	71.00	62.00	
1/2" x 10"-3' to 7', N. B.	52.00	50.00	44.00	
1/2" x 10"-3' to 16' or longer R/L, O. B.				23.00
1/2" x 12"-6' to 16' or longer R/L, N. B.	75.00	73.00	63.00	
1/2" x 12"-3' to 16' or longer R/L, O. B.				25.00

NOTES

Lengths:

1. Specified lengths add \$1.50 per M'BM.

2. Random lengths as set forth in Standard Grading and Dressing Rules No. 12, paragraph 734.

Working charges:

3. Rabbetted siding add \$2.50 per M'BM.

Miscellaneous:

4. For old bundling where new bundling specified add \$2.00 per M'BM, the usual percentage of short lengths to be included.

5. Deduct \$1.00 per M'BM for orders totaling 35 M' or more in one shipment.

TABLE 3—SPECIAL SIDING

Regular loading, dry bundled mixed grain per M'BM	Clear A	B	C	No. 1 knotty
1/2" x 6"-6' to 16' or longer R/L, O. B., sq. edge	\$50.00			
1/2" x 4"-6' to 16' or longer R/L, N. B., sq. edge	39.00	\$29.00	\$14.00	
1/2" x 6"-6' to 16' or longer R/L, N. B., sq. edge	50.00	46.00	22.00	
1/2" x 8"-6' to 16' or longer R/L, smooth sawn, N. B.	48.00			\$37.00
1/2" x 10"-6' to 16' or longer R/L, smooth sawn, N. B.	55.00			37.00
1/2" x 10"-6' to 16' or longer R/L, wavy edge, smooth sawn, N. B.	60.00			40.00
1/2" x 12"-6' to 16' or longer R/L, wavy edge, smooth sawn, N. B.	62.00			42.00
1 1/4" x 4" R/L 3' to 16' or longer, O. B., S3S	35.00	28.00	14.00	
1 1/4" x 6" R/L 3' to 16' or longer, O. B., S3S	47.00	40.00	18.00	
1 1/4" x 8" R/L 3' to 16' or longer, O. B., S3S	61.00	49.00	20.00	
1 1/4" x 10" R/L 3' to 16' or longer, O. B., S3S	61.00	49.00	20.00	
1 1/4" x 6" R/L 3' to 16' or longer, O. B., S3S	55.00	46.00	20.00	
1 1/4" x 8" R/L 3' to 16' or longer, O. B., S3S	72.00	55.00	24.00	
1 1/4" x 10" R/L 3' to 16' or longer, O. B., S3S	77.00	67.00	24.00	

NOTES

Grain:

1. For vertical grain clear A grade add \$2.00 per M'BM.

Lengths:

2. Specified lengths add \$1.50 per M'BM.

3. Random lengths as set forth in Standard Grading and Dressing Rules No. 12, paragraph 734.

Working charges:

4. Rabbetted siding add \$2.50 per M'BM.

Miscellaneous:

5. For old bundling where new bundling specified add \$2.00 per M'BM, the usual percentage of short lengths to be included.

6. Deduct \$1.00 per M'BM for orders totaling 35 M' or more in one shipment.

TABLE 4—DROP SIDING AND RUSTIC

Regular loading mixed grain, dry per M'BM R/L 4' to 16' or longer	B & Better	C
1 x 4" patterns 120 and 122	\$45.00	\$43.00
1 x 6" patterns 105 and 106	70.00	67.00
1 x 6" patterns 115 and 117	70.00	67.00
1 x 6" patterns 116	70.00	67.00
1 x 8" patterns 105, 106, 116	80.00	77.00
1 x 10" patterns 105, 106, 116	85.00	82.00
1 x 12" patterns 105, 106, 116	90.00	87.00

Grain:

1. For vertical grain:
4" to 6" wide add \$5.00 per M'.
8" to 12" wide add \$10.00 per M'.

Lengths:

2. Regular loading: 3% 4' and/or 5'—7% 6' and/or 7'—90% 8' to 16' or longer.
3. Surplus short lengths: 3' to 7' in 4' to 8" widths, deduct \$15.00 per M'BM.
4. Specified lengths, add \$5.00 per M'BM up to 15'; 16' to 20' add \$10.00 to R/L price.
5. Additions for omitting short lengths:
7' and shorter, add \$2.00 per M'BM.
9' and shorter, add \$3.00 per M'BM.
10' and shorter, add \$5.00 per M'BM.
12' and shorter, add \$6.00 per M'BM.

Miscellaneous:

6. Patterns not conforming to association standard patterns; add \$2.00 per M'BM.

TABLE 5—FLOORING—CEILING

Regular loading, dry mixed grain per M'BM	B & Better	C
3/4" x 3" S18 R/L 4' to 16' or longer	\$31.00	\$28.00
3/4" x 3" S18 R/L 3' to 7'	22.00	19.00
3/4" x 3" & 4" V or B1 Side R/L 4' to 16' or longer	35.00	32.00
3/4" x 3" & 4" V or B1 Side R/L 3' to 7'	30.00	27.00
1" x 3" V or B1 Side R/L 4' to 16' or longer	45.00	42.00
1" x 3" V or B1 Side R/L 3' to 7'	32.00	30.00
1" x 4" V or B1 Side R/L 4' to 16' or longer	55.00	52.00
1" x 4" V or B1 Side R/L 3' to 7'	40.00	37.00
1" x 5" V or B1 Side R/L 4' to 16' or longer	60.00	57.00
1" x 5" V or B1 Side R/L 3' to 7'	50.00	47.00
1" x 6" V or B1 Side R/L 4' to 16' or longer	75.00	72.00
1" x 6" V or B1 Side R/L 3' to 7'	60.00	57.00

NOTES

- Grain:
1. For vertical grain, add \$5.00 per M' for 1"; \$2.50 per M' for 3/4" and 1/2".

Lengths:

2. Regular loading:
3% 4' and/or 5'
7% 6' and/or 7'
90% 8' to 16' or longer
3. Specified lengths, add \$5.00 per M'.
4. Surplus shorts: 3' to 7' (3 to 6" widths) deduct \$15.00 per M'.

Thickness:

5. For 3/4" thickness, deduct \$2.00 per M' from 1" price of same width.

TABLE 6—FINISH

Regular loading R/L, 6 to 16' or longer, dry S2S or S4S, A. L. S. mixed grain per M'BM	B & Better	C
1" x 2"	\$60.00	\$57.00
1" x 3"	60.00	57.00
1" x 4"	60.00	57.00
1" x 5"	67.00	64.00
1" x 6"	80.00	77.00
1" x 8"	90.00	87.00
1" x 10"	95.00	92.00
1" x 12"	100.00	97.00
1" x 14"	105.00	102.00
1" x 16"	110.00	107.00
1" x 18"	115.00	112.00
1" x 20"	125.00	122.00
1" x 22"	130.00	127.00
1" x 24"	130.00	127.00

NOTES

- Grain:
1. Specified vertical grain add to mixed grain same size and grade:
2" to 6" widths—\$5.00 per M'BM.
8" to 12" widths—\$10.00 per M'BM.
14" to 18" widths—\$15.00 per M'BM.
20" to 24" widths—\$20.00 per M'BM.

NOTES—Continued

Lengths:

2. Regular loading: 8% 6' and/or 7'; 95% 8' to 16' or longer.
3. Surplus shorts deduct from the R/L price of the same size and grade:
3' to 5'—2" to 6" widths—\$15.00 per M'BM.
3' to 5'—8" to 12" widths—\$20.00 per M'BM.
3' to 5'—14" and wider—\$25.00 per M'BM.
4. Specified lengths add to the R/L price of the same size and grade:
15' and shorter—\$5.00 per M'BM.
16' to 20'—\$10.00 per M'BM.
21' to 24'—\$15.00 per M'BM.
25' to 32'—\$25.00 per M'BM.
Longer than 32'—\$30.00 per M'BM.
Specified 6' and 7' deduct \$5.00 per M'BM from R/L price.

5. Omitting lengths from R/L specifications add to the R/L price of the same size and grade:
6' and 7'—\$1.00 per M'BM.
9' and shorter—\$3.00 per M'BM.
10' and shorter—\$5.00 per M'BM.
12' and shorter—\$6.00 per M'BM.

6. Fractional lengths add \$3.00 per M'BM to the specified length price of the next longer length and compute footage on next longer length.

Widths:

7. Fractional and odd widths not listed, same price and weight as next wider listed width. Compute footage on next wider listed width.

Thickness:

8. For 1/2" to 3/4" S2S net, deduct \$5.00 per M' from 1" price of the same size and grade.
9. For 3/4" to 1" inclusive price same as 1".
10. Fractional and odd thickness not listed, add \$3.50 per M' to next less listed size and compute footage on actual rough measure.

Working charges:

11. Surfacing green, deduct \$5.00 per M' from surfaced dry price.
12. Surfacing thicker and/or wider than American Lumber Standards add \$5.00 per M' to the standard surfaced price and use standard surfaced weights.
13. Resawing add \$4.00 per M'BM.

Miscellaneous:

14. Selecting B & Better all clear (eliminating knots and sap), including boat lumber, add \$10.00 per M'BM to the B & Better price of the same size and length.
15. Tank stock, paragraph 777, add \$5.00 per M'BM to the B & Better price of the same size and length.
16. Pipe stock, paragraph 727, add \$4.00 per M'BM to the B & Better price of the same size and length.

17. Casing, base and jambs, 1 x 4" and thicker, and/or wider, use corresponding finish price, size and weight.
18. Rough dry deduct \$3.00 per M'BM from surfaced dry price.
Rough green deduct \$8.00 per M'BM from surfaced dry price.

TABLE 7—THICK CLEARS

Regular loading R/L, 6 to 16' or longer, dry per M'BM, S2S or S4S mixed grain	B & Better	C
5/4", 6/4", & 8/4" x 2", 3" & 4"	\$75.00	\$72.00
5/4", 6/4", & 8/4" x 5"	85.00	82.00
5/4", 6/4", & 8/4" x 6"	85.00	82.00
5/4", 6/4", & 8/4" x 8"	100.00	97.00
5/4", 6/4", & 8/4" x 10"	105.00	102.00
5/4", 6/4", & 8/4" x 12"	110.00	107.00
5/4", 6/4", & 8/4" x 14"	115.00	112.00
5/4", 6/4", & 8/4" x 16"	120.00	117.00
5/4", 6/4", & 8/4" x 18"	125.00	122.00
5/4", 6/4", & 8/4" x 20"	135.00	132.00
5/4", 6/4", & 8/4" x 22"	140.00	137.00
5/4", 6/4", & 8/4" x 24"	140.00	137.00
2 1/2" x 3" x 6"	80.00	77.00
2 1/2" x 3" x 8"	90.00	87.00
2 1/2" x 3" x 10"	90.00	87.00
2 1/2" x 3" x 12"	100.00	97.00
2 1/2" x 3" x 14"	100.00	97.00
4" & thicker x 5" & 6"	90.00	87.00
4" & thicker x 7" to 10"	100.00	97.00
4" & thicker x 12"	115.00	112.00

NOTES

- Grain:
1. Specified vertical grain add to mixed grain same size and grade:

	Per M'BM
2" to 6" widths	\$5.00
8" to 12" widths	10.00
14" to 18" widths	15.00
20" to 24" widths	20.00

- Lengths:
2. Regular loading: 5% 6' and/or 7'; 95% 8' to 16' or longer.

3. Surplus shorts deduct from the R/L price of the same size and grade:
3' to 5'—2" to 6" widths—\$15.00 per M'BM.
3' to 5'—8" to 12" widths—\$20.00 per M'BM.
3' to 5'—14" and wider—\$25.00 per M'BM.

NOTES—Continued

Lengths—Continued.

4. Specified lengths add to the R/L price of the same size and grade:

	Per M'BM
15' and shorter	\$5.00
16' to 20'	10.00
21' to 24'	15.00
25' to 32'	25.00
Longer than 32'	30.00

- Specified 6' and 7' deduct \$5.00 per M' BM from R/L price.

5. Omitting lengths from R/L specifications add to the R/L price of the same size and grade:

	Per M'BM
6' and 7'	\$1.00
9' and shorter	3.00
10' and shorter	5.00
12' and shorter	6.00

6. Fractional lengths add \$3.00 per M' BM to the specified length price of the next longer length and compute footage on next longer length.

7. Fractional and odd widths not listed, same price and weight as next wider listed width. Compute footage on next wider listed width.

8. Fractional and odd thickness not listed, add \$3.50 per M' to next less listed size and compute footage on actual rough measure.

Working charges:

9. Surfacing green, deduct \$5.00 per M' from surfaced dry price.
10. Surfacing thicker and/or wider than American lumber standards add \$5.00 per M' to the standard surfaced price and use standard surfaced weights.

11. Resawing add \$4.00 per M' BM.

Miscellaneous:

12. Selecting B & Better all clear (eliminating knots and sap), including boat lumber, add \$10.00 per M' BM to the B & Better price of the same size and length.

13. Tank stock, paragraph 777, add \$5.00 per M' BM to the B & Better price of the same size and length.

14. Pipe stock, paragraph 727, add \$4.00 per M' BM to the B & Better price of the same size and length.

15. Casing, base and jambs, 5/4 x 4" and thicker and/or wider use corresponding finish price, size and weight.

16. Rough dry deduct \$3.00 per M' BM from the surfaced dry price. Rough green deduct \$8.00 per M' BM from surfaced dry price.

TABLE 8—NO. 1 SHOP

Mixed grain, rough, dry, R/L, 6' and longer:

	Per M'BM
4/4" x 6" and wider, R/W	\$40.00
5/4" x 6" and wider, R/W	43.00
6/4" x 6" and wider, R/W	43.00
8/4" x 6" and wider, R/W	48.00
12/4" x 6" and wider, R/W	68.00

NOTES

1. For surfacing and \$3.00 M'BM.
2. For No. 2 shop developing deduct \$12.50 M'BM.
3. For green deduct \$5.00 M'BM.

TABLE 9—GUTTER

B & Better Green (Ohio or Boston pattern), R/L, 8' and longer:	Per M'BM
3" x 4"	\$80.00
4" x 4"	80.00
4" x 5"	80.00
4" x 6"	80.00
5" x 7"	90.00
6" x 8"	90.00

NOTES

- Lengths:
1. Specified lengths add to the R/L price of the same size and grade:
15' and shorter—\$5.00 per M'BM.
16' to 20'—\$10.00 per M'BM.
21' to 24'—\$15.00 per M'BM.
25' to 32'—\$25.00 per M'BM.
Longer than 32'—\$30.00 per M'BM.

2. Specified 16' and longer: Add \$10.00 per M'BM.

- Miscellaneous:
3. All other patterns, except Ohio or Boston, add \$10.00 per M'BM.

4. For dry stock add \$5.00 per M'BM.

TABLE 10—DOWNSPOUT

B & Better Green, R/L 3' and longer per lineal foot (includes all members):

2 1/4" x 2 1/4" 1 1/2" inside diameter, \$0.12 per lineal foot.
3 3/8" x 3 3/8" 2 1/4" inside diameter, \$0.16 per lineal foot.
3 3/8" x 3 3/8" with 3" spline, \$0.22 per lineal foot.
3 3/8" x 3 3/8" with 4" spline, \$0.24 per lineal foot.

NOTES

1. For specified lengths, add 2¢ per lineal foot.

TABLE 11—PICKETS

No. 1 pickets, dry square or gothic point per 1,000 pieces, S4S, bundled	3'	3½'	4'	5'	6'
1 x 2"-----	\$23.00	\$26.00	\$28.00		
1 x 3"-----	27.00	31.00	37.00	\$41.00	\$57.00
1 x 4"-----	26.00	33.00	40.00	46.00	70.00
1½ x 1½"-----	23.00	28.00	36.00		
1½ x 1½"-----	33.00	40.00	44.00		

NOTES

1. Number 2 pickets, deduct \$3.00 per M' pieces from No. 1 price.

TABLE 12—BATTENS

Regular loading R/L 6' to 16' or longer dry bundled per 100 lineal feet:	
3" flat-----	\$0.70
2" O. G.-----	1.00
2½" O. G.-----	1.10

NOTES

1. Regular loading, 10% 6' and 7', 90% 8' and longer.
2. Specified lengths, add \$0.10 per 100 lineal feet.

TABLE 13—LATH

Dry, bundled 50 pieces per bundle, per 1,000 pieces:	
¾" x 1½" or 1½" No. 1, 4'-----	\$6.50
¾" x 1½" or 1½" No. 2, 4'-----	4.50

TABLE 14—MOULDINGS

[Discount applicable to 8000 series Moulding Book mixed cars]	
Regular loading R/L dry, bundled:	Percent
Patterns listing under \$4.00-----	45
Patterns listing \$4.00 and over-----	40

NOTES

1. Regular loading random lengths 6' to 16' or longer in multiples of 1', not over 15% in lengths under 10'.
2. Specified lengths: shorten discount 5 points.
3. Excessive short lengths 4' to 9' lengthen discount 10 points.
4. Miscellaneous:
 - a. Special patterns 3M lineal feet or more, same discounts; less than 3M lineal feet add \$3.00 net setup charge.
 - b. 1M lineal feet or less per item: shorten discount 2 points.
 - c. Delivered prices: deduct 1 point for each 8 cents freight rate, compute discount to nearest ½ point.

TABLE 15—LATTICE

Dry, regular loading, S4S, bundled per 100 lineal feet:	
¾" x 1½"-----	\$0.41
¾" x 1½"-----	.46
¾" x 1½"-----	.54

NOTES

1. Regular loading, random lengths 6' to 16' or longer in multiples of 1', not over 15% in lengths under 10'.
2. Excess short lengths 4' to 9', deduct \$0.05 per 100 lineal feet.
3. For specified lengths, add \$0.05 per 100 lineal feet.
4. For S4S ¾" thickness deduct \$0.09 per 100 lineal feet.

TABLE 16—LOG SIDING

No. 1 green R/L, 4' to 16' or longer per M'BM.	
2" x 6", 8", and 10", finished to 1½"-----	\$37.00
3" x 8", 10", finished to 2½"-----	37.00

NOTES

1. No. 2 deduct \$5.00 per M'BM.
2. Specified lengths add \$3.00 per M'BM.
3. For omitting 4' to 9' add \$2.00 per M'BM to R/L price.
4. For dry stock add \$5.00 per M'BM.

TABLE 17—BOARDS AND SHEATHING

Dry, R/L 6' to 16' or longer S2S, S4S, D & M or Shiplap per M' BM	No. 1	No. 2	No. 3
1" x 4"-----	\$34.00	\$24.00	\$19.00
1" x 6"-----	43.00	33.00	28.00
1" x 8"-----	43.00	33.00	28.00
1" x 10"-----	43.00	33.00	28.00
1" x 12"-----	47.00	37.00	32.00

NOTES

1. Specified lengths add \$3.00 per M'BM to R/L price of same size and grade.
2. Fractional or odd lengths add \$1.00 per M'BM to the specified length price of the next longer even length. Compute footage on next longer even length.
3. Fractional or odd widths same price as, and compute footage on the next wider even width.
4. For 5/4" or 6/4" add \$3.00 per M'BM to 1" price of the same width and grade.
5. Surfaced green deduct \$3.00 per M'BM.
6. Surfacing thicker and/or wider than American Lumber Standards add \$3.00 per M'BM and use standard surfaced weights.
7. Knotty red cedar, colonial paneling R/L D & M V edge, paragraph 749: No. 1 grade add \$5.00 per M'BM to the No. 1 price of the same width and thickness; No. 2 grade add \$5.00 per M'BM to the No. 2 price of the same width and thickness.
8. No. 4 rough or surfaced, dry or green, 1 x AW-R/L \$14.50 per M'BM. Use board and sheathing weights.
9. Rough dry deduct \$2.00 per M'BM.
10. Rough green deduct \$5.00 per M'BM.

TABLE 18—DIMENSION, PLANK AND TIMBERS

Rough, green R/L 8' to 16' or longer per M'BM	No. 1	No. 2	No. 3
2" x 3", 4", 6", 8", 10", & 12"-----	\$32.00	\$27.00	\$24.00
3" x 4", 6", 8", 10", & 12"-----	33.00	28.00	25.00
4" x 4", 6", 8", 10", & 12"-----	33.00	28.00	25.00
5" x 5", 6", 8", 10", & 12"-----	31.00	26.00	23.00
6" x 6", 8", 10", & 12"-----	31.00	26.00	23.00
8" x 8", 10", & 12"-----	31.00	26.00	23.00
10" x 10", & 12"-----	31.00	26.00	23.00
12" x 12"-----	31.00	26.00	23.00

NOTES

1. Specified lengths add \$3.00 per M'BM to R/L price.
2. Odd or fractional lengths add \$1.00 per M'BM to the specified length price of the next longer even length. Compute footage on next longer even length.
3. Odd or fractional widths not listed same price as next even wider width. Compute footage and use weight of next even wider width.
4. Odd or fractional thicknesses not listed add \$3.50 per M'BM to the next less listed size. Compute footage on actual rough measure.
5. Surfacing add \$2.00 per M'BM to corresponding rough price.
6. Surfacing ¼" off add \$3.00 per M'BM to corresponding rough price.
7. Surfacing thicker and/or wider than American Lumber Standards other than ¼" off add \$5.00 per M'BM and use standard surfaced weights.
8. T & G, grooved for splines, and outgauging add \$5.00 per M'BM to the rough price.
9. Square butting add \$1.00 per M'BM.
10. Rough dry, stock up to 6" thicknesses, add \$5.00 per M'BM.

TABLE 19—BOX LUMBER

R/L, per M'BM, 4/4 and thicker RW:	
Rough dry-----	\$25.50
Rough green-----	23.00
Surfaced dry-----	26.50
Surfaced green-----	24.50

NOTES

1. No additions for specified widths.
2. Grade as provided in paragraph No. 780 of West Coast Lumbermen's Association Standard Grading and Dressing Rules No. 12.

TABLE 20—CAPPING AND GROOVED TRUNKING

Green or dry, mills option worked to pattern:
Capping, paragraph 769:
1 x 4, 1 x 6, 2 x 4 and 2 x 6" R/L 4' and longer \$32.00
5/4 and 6/4 x 4' and 6" R/L 4' and longer..... 35.00
Trunking, paragraph 768:
2x4, 3 x 4 and 4 x 6" R/L 4' and longer..... 35.00

NOTES

1. Omitting 4 to 9' add \$2.00 per M' BM.
2. Lengths 21 to 24' add \$2.00 per M' BM.
3. Specified lengths add \$5.00 per M' BM.

GENERAL NOTES

1. All grade and size terms and "paragraph" references appearing in this regulation refer to, and have the meaning given in, the Standard Grading and Dressing Rules No. 12, issued by the West Coast Lumbermen's Association, effective March 1, 1943.
2. For grades and items not included in the Standard Grading and Dressing Rules under Western Red Cedar use grades for same items in Douglas Fir, except stress grades.
3. The reference "N. B." and "O. B." as employed in siding schedules is descriptive of the manner in which lengths are bundled. "N. B." or New Bundling is as defined in paragraph 734 of Standard Grading and Dressing Rules No. 12. "O. B." or Old Bundling contemplates lengths 3 feet and longer in multiples of one foot, with each length bundled separately. Random length shipments of "N. B." and "O. B." include 33½% of 7' and shorter lengths.
4. No. 4 covers the down-fall which otherwise would be wasted. May be rough or surfaced. Defects include splits, check, shake, skips, rot, stain, worm holes, knot holes, wane and other defects which in combination will not impair the lumber for the purpose intended.
5. No lumber is sold on less than 1" count. All lumber is priced per 1,000 feet, board measure, except downspouts, pickets, battens, lath, mouldings, and lattice which are priced as designated.
6. Rippling and/or resawing not otherwise provided add \$1.00 per M'BM; for diagonal or tapered add \$5.00 per M'BM, and product of strip to be shipped.
7. For bundled where not provided add \$1.00 per M'BM; on standard bundled items, where not bundled deduct \$1.00 per M'BM.

Article VI—Tables of Permitted Estimated Weights

The use of the following estimated weights, even though they may be higher than actual weights, is permitted:

Bevel, bungalow siding and special siding	Dry	Green
¾" bevel siding-----	600 M' BM	
¾" bevel siding No. 1 knotty-----	700 M' BM	
¾" bungalow siding-----	750 M' BM	
¾" bungalow siding-----	900 M' BM	
¾" bungalow siding No. 1 knotty-----	1,000 M' BM	
¾" bungalow siding rough-----	1,100 M' BM	
¾" special siding S3S-----	600 M' BM	
¾" special siding S3S-----	900 M' BM	
Drop siding and rustic	Dry	Green
1" x 4" patterns 120 & 122-----	1,100 M' BM	
1" x 6" patterns 103 & 104-----	1,300 M' BM	
1" x 6" patterns 105, 106 and rustic-----	1,400 M' BM	
1" x 6" patterns 115, & 117-----	1,200 M' BM	
1" x 6" patterns 116-----	1,500 M' BM	
1" x 8" & 10" add 100 lb. to above 1" x 6" weights.		
Flooring and ceiling	Dry	Green
¾" x 3" or 4"-----	600 M' BM	
¾" x 3" or 4"-----	700 M' BM	
¾" x 3" or 4"-----	1,000 M' BM	
1" x 3" to 6"-----	1,500 M' BM	
1" x 8"-----	1,900 M' BM	
Finish	Dry	Green
¾" finish S2S or S4S 7½"-----	800 M' BM	
¾" finish S2S or S4S 9½"-----	1,100 M' BM	
1" finish S2S or S4S 11½"-----	1,700 M' BM	
1" rough-----	2,100 M' BM	3,000 M' BM

Article VI—Tables of Permitted Estimated Weights—Continued

Thick clears and tank stock	Dry	Green
5/4" to 8/4" S2S or S4S....	1,800 M'BM	2,400 M'BM
5/4" to 8/4" rough.....	2,300 M'BM	3,000 M'BM
2 1/2" & 3" x 4" & wider S2S or S4S.....	2,000 M'BM	2,400 M'BM
2 1/2" & 3" x 4" & wider rough.....	2,800 M'BM	3,000 M'BM
4" & thicker x 5" & wider S2S or S4S.....	2,200 M'BM	2,600 M'BM
4" & thicker x 5" & wider rough.....	2,800 M'BM	3,000 M'BM

Shop and box	Dry	Green
4/4" rough.....	2,100 M'BM	3,000 M'BM
4/4" S2S or S4S.....	1,700 M'BM	2,400 M'BM
5/4" & thicker S2S or S4S.....	1,800 M'BM	2,400 M'BM
5/4" & thicker rough.....	2,300 M'BM	3,000 M'BM

Gutter	Dry	Green
3" and thicker.....	1,350 M'BM	1,600 M'BM

Downspouts: Green

2 1/2" x 2 1/2", 70 per 100 lin. feet.
 3 1/2" x 3 1/2", 100 per 100 lin. feet.
 3 1/2" x 3 1/2" with 3" spline, 125 per 100 lin. feet.
 3 1/2" x 3 1/2" with 4" spline, 200 per 100 lin. feet.

Pickets	Dry	Green
1" x 2"-3".....	800 M pieces.....	
1" x 2"-4".....	1,100 M pieces.....	
1" x 3"-3".....	1,200 M pieces.....	
1" x 3"-3 1/2".....	1,400 M pieces.....	
1" x 3"-4".....	1,600 M pieces.....	
1" x 3"-5".....	2,000 M pieces.....	
1" x 3"-6".....	2,400 M pieces.....	
1" x 4"-3".....	1,600 M pieces.....	
1" x 4"-3 1/2".....	1,850 M s. piece.....	
1" x 4"-4".....	2,150 M pieces.....	
1" x 4"-5".....	2,700 M pieces.....	
1" x 4"-6".....	3,200 M pieces.....	
1 1/4" x 1 1/4"-3".....	800 M pieces.....	
1 1/4" x 1 1/4"-3 1/2".....	900 M pieces.....	
1 1/4" x 1 1/4"-4".....	1,000 M pieces.....	
1 1/4" x 1 1/4"-5".....	1,100 M pieces.....	
1 1/4" x 1 1/4"-6".....	1,300 M pieces.....	
1 1/2" x 1 1/2"-4".....	1,500 M pieces.....	

Battens	Dry	Green
3" flat.....	15 per 100 lin. ft.....	
2" O. G.....	18 per 100 lin. ft.....	
2 1/2" O. G.....	20 per 100 lin. ft.....	

Lath	Dry	Green
3/8" x 1 1/4" 4'.....	400 M pieces.....	
3/8" x 1 1/2" 4'.....	450 M pieces.....	

Lattice	Dry	Green
5/16" x 1 1/4".....	6 per 100 lin. ft.....	
5/16" x 1 1/2".....	8 per 100 lin. ft.....	
5/16" x 1 3/4".....	9 per 100 lin. ft.....	
For s4s 5/16", use same weights as 5/16".....		

Casing, Base & Jambs: 1 x 4" thicker & wider same weight as finish of same size.

Log siding	Dry	Green
2" & thicker by 6" and wider.....	Pound 1800 M' BM.....	Pound 2100 M' BM.....

Article VI—Tables of Permitted Estimated Weights—Continued

Boards and sheathing	Dry	Green
1" x 2" and wider S2S or S4S.....	1800	2200
1" x 4" and wider D & M or shiplap..	1700	2100
1" rough.....	2100	3000

Knotty Cedar Paneling:
 Same weights as boards and sheathing.

Dimension, planks, timbers	Dry	Green
2" x 2" and wider rough.....	2700	3000
3" x 3" and wider rough.....	2800	3000
4" x 4" and wider rough.....	2800	3000
2" x 2" to 2" x 4" S4S.....	1900	2300
2" x 6" to 2" x 12" S4S.....	2000	2400
5" and thicker by all widths rough.....	2800	3000
5" and thicker by all widths surfaced.....	2000	2400
For S4S 1 1/2" off, add.....	200	200
Capping and trunking:		
Capping:		
1 x 4 and 1 x 6".....		2400
2 x 4 and 2 x 6".....		2500
5/4 and 6/4 x 4" and 6".....		2500
Trunking:		
2 x 4".....		2500
3 x 4 and 3 x 6".....		2600

Effective date. This regulation shall become effective June 12, 1943.

NOTE: All reporting and recording-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 7th day of June 1943.

GEORGE J. BURKE,
 Acting Administrator.

[F. R. Doc. 43-9214; Filed, June 7, 1943;
 4:54 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 245 Under § 1499.18 (b) of GMPR]

PULVER COMPANY, INC.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1845 Denial of application of Pulver Company, Inc., 53 Canal Street, Rochester, New York for adjustment of maximum prices for its chewing gum. (a) The application of Pulver Company, Inc., 53 Canal Street, Rochester, New York, filed August 3, 1942 and assigned Docket No. GF3-1130, requesting permission to discontinue a 10% discount allowed in sales of its chewing gum, is hereby denied.

This Order No. 245 shall become effective June 7, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of June 1943.

GEORGE J. BURKE,
 Acting Administrator.

[F. R. Doc. 43-9220; Filed, June 7, 1943;
 4:54 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1, Amdt. 12]

CERTAIN SALES OF STEEL VALVES, EXCEPTION

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new paragraph (i) is added to section 4.6 of Revised Supplementary Regulation No. 1 to read as set forth below:

SEC. 4.6 Exceptions of sales to specified government agencies. Sales and deliveries of the following, when made to the government agencies or other persons specified below, are excepted from the General Maximum Price Regulation either absolutely or, where the exception is qualified, under the conditions and to the extent indicated:

(i) Steel valves, valve parts or subassemblies sold by a subcontractor to a valve manufacturer who has previously entered into a contract entitled "Contract Between the Navy Department and Valve Manufacturers for Reimbursement of Added Cost on Subcontracted Valves and Valve Parts," or sold by a sub-subcontractor to such subcontractor for sale to such valve manufacturer, except that if the same kind of valve, valve part or subassembly was sold to the same valve manufacturer or subcontractor by the same seller prior to June 7, 1943, the sale of such valve, valve part or subassembly by the seller after June 7, 1943, shall not be exempt under this subparagraph (i).

This amendment shall become effective June 7, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of June 1943.

GEORGE J. BURKE,
 Acting Administrator.

[F. R. Doc. 43-9225; Filed, June 7, 1943;
 4:58 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 11, Amdt. 23]

EXCEPTION FOR PRODUCTION OF STEEL VALVES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

8 F.R. 4978, 6055, 6363, 6547, 6615, 6852, 6964.

7 F.R. 6426, 6965, 7604, 7758, 8282, 8431, 8810, 9125, 9195, 9894; 8 F.R. 180, 149, 2215, 3068, 3372, 4139, 4521, 4783, 4978, 5820, 6673.

Section 1499.46 (b) is amended by the addition of a new subparagraph (121) to read as follows:

§ 1499.46 *Exceptions for certain services.* * * *

(b) The provisions of the General Maximum Price Regulation shall not apply to the rates, fees, charges, or compensation for the following services:

(121) Any operation performed in the processing, machining, welding, treating, or finishing of a steel valve (or any part or subassembly thereof) for a valve manufacturer who has previously entered into a contract entitled "Contract Between the Navy Department and Valve Manufacturers for Reimbursement of Added Cost on Subcontracted Valves and Valve Parts," or for a subcontractor for the ultimate use of such valve manufacturer, except that if the same kind of service was performed for the same valve manufacturer or subcontractor by the same seller prior to June 7, 1943, the performance of such service by the seller after June 7, 1943, shall not be exempt under this subparagraph (121).

This amendment shall become effective June 7, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of June 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-9216; Filed, June 7, 1943;
4:52 p. m.]

PART 1499—COMMODITIES AND SERVICES
[SR 14 to GMPR, Amdt. 179]

TWIST TOBACCO

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1499.73 (a) is amended by the addition of subparagraph (107) to read as follows:

(107) *Twist tobacco.* * * *

(i) *Manufacturers' weight adjustment.*

(a) A manufacturer of twist tobacco of a March 1942 suggested retail price class of 10 cents per twist may adjust the March 1942 weight thereof to a minimum weight of 1.333 oz. per twist or 12 twists per pound.

(b) A manufacturer of twist tobacco of a March 1942 suggested retail price class of 5 cents per twist may adjust the March 1942 weight thereof to a minimum weight of .64 oz. per twist or 25 twists per pound.

(c) A manufacturer of twist tobacco of a March 1942 suggested retail price class in excess of 10 cents per twist may adjust the March 1942 weight thereof to a minimum weight per twist computed as follows:

(1) He shall select the twist of a March 1942 suggested retail price class of either 10 cents or 5 cents per twist manufactured by him in March 1942, which corresponds, except for size, to the twist for which a minimum weight is being figured.

(2) He shall next divide the March 1942 weight of the twist selected under (1) into the March 1942 weight of the twist for which a minimum weight is being figured.

(3) He shall then multiply the figure obtained under (2) by 1.333 or by .64 according to whether the twist selected under (1) is of the March 1942 suggested retail price class of 10 cents or 5 cents. The result shall be the minimum weight of the twist for which the computation is made.

(d) A manufacturer adjusting the weight of twist tobacco pursuant to this subdivision (i) shall make and keep available for inspection by the Office of Price Administration for as long as the Emergency Price Control Act of 1942 remains in effect, his records and figures showing the method he used in making such adjustment.

(ii) *Manufacturers' maximum list price and maximum net selling price for twist tobacco.* (a) A manufacturer may sell, and any person may buy from that manufacturer, twist tobacco of a minimum weight provided for in subdivision (i) for a maximum list price equal to that established by the manufacturer under the General Maximum Price Regulation for the same twist tobacco prior to adjustment of its weight, and for a maximum net selling price determined pursuant to this subdivision (ii).

(b) A manufacturer's maximum net selling price for any particular brand of twist tobacco shall be his maximum list price therefor, less, at his election, either

(1) His March 1942 customary discounts and allowances on sales of that brand to the particular class of purchasers in question, or

(2) The following minimum discounts and allowances:

Amount of purchase	Trade discount	Additional discount for payment within 10 days
	Percent	Percent
Less than 30 lbs.	10	2
30 lbs. but less than 60 lbs.	10 and 3	2
60 lbs. or over.	10 and 5	2

Trade discounts may be given wholly or partly in the form of free goods valued in the manner customarily used for that purpose by the particular manufacturer during March 1942.

(c) Except as expressly permitted in this subdivision, no manufacturer shall so alter his March 1942 customary terms of sale to any class of purchasers as to make them more burdensome to a purchaser.

(iii) *Manufacturers' notice to purchasers.* Before or at his first delivery of any twist tobacco of a weight other than its March 1942 weight, or at a maximum net selling price different than its March 1942 net selling price, to any pur-

chaser, every manufacturer shall give the purchaser a completed notice in writing as follows:

OPA has authorized us to reduce the size of (insert brand name) twist tobacco from _____ ounces to _____ ounces per twist. OPA has authorized us to establish the following minimum discounts on our sales of (insert brand name) twist tobacco:

Amount of purchase	Trade discount	Additional discount for payment within 10 days
	Percent	Percent
Less than 30 lbs.	10	2
30 lbs. but less than 60 lbs.	10 and 3	2
60 lbs. or over.	10 and 5	2

The permission given us does not allow you to increase your ceiling prices for this brand and no change in your ceiling prices or discounts can be made because of it. OPA requires you to keep this notice for examination.

(NOTE: The first or second sentence of the notice may be omitted if not applicable in a particular case. No more than one notice covering a particular brand and size of twist tobacco need be given to any purchaser.)

(iv) *Wholesalers' and jobbers' maximum prices; notice to purchasers.* (a) After receipt of notice from his supplier, any wholesaler or jobber may sell, and any person may buy from that wholesaler or jobber, twist tobacco of a minimum weight provided in subdivision (i) at a maximum price not greater than that established by the particular wholesaler or jobber under the General Maximum Price Regulation for his sales of the same twist tobacco to a purchaser of the same class, prior to adjustment of its weight. No wholesaler or jobber shall so alter his March 1942 customary terms of sale to any class of purchasers as to make them more burdensome to a purchaser.

(b) Each wholesaler or jobber shall mark on the invoice or sales slip given to any purchaser, covering his first sale to that purchaser of a brand of twist tobacco of a weight adjusted pursuant to (i), the following:

Weight of brands of twist tobacco included in this purchase has been reduced by the manufacturer with OPA authorization. Wholesalers, jobbers and retailers are authorized to sell the reduced weight without changing their ceiling prices for those brands.

(v) *Retailers' maximum prices.* After receipt of notice from his supplier, any retailer may sell, and any person may buy from that retailer, twist tobacco of a minimum weight provided in subdivision (i) for a maximum price not greater than that established by the particular retailer under the General Maximum Price Regulation for his sales of the same twist tobacco to a purchaser of the same class, prior to adjustment of its weight.

(vi) *Definitions.* (a) "Twist tobacco" means rolled tobacco leaf, sweetened or unsweetened, commonly doubled or folded and having the ends of the roll twisted around each other.

* Copies may be obtained from the Office of Price Administration.

8 F.R. 3096, 3849, 4347, 4486, 4724, 4848, 4978, 4848, 6047, 6962.

(b) "March 1942 suggested retail price" means the retail price of a particular brand and size of twist tobacco suggested by the manufacturer thereof in his last standard price list effective during March 1942.

(vii) *Geographical applicability.* The provisions of this subparagraph shall be applicable to the forty-eight states of the United States and to the District of Columbia.

This amendment shall become effective June 12, 1943.

NOTE: All reporting and record keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of June 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-9217; Filed, June 7, 1943;
4:53 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1A,¹ Amdt. 33]

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order No. 1A is amended in the following respects:

1. The first sentence in § 1315.804 (c) (2) is amended to read as follows:

No dealer or manufacturer shall transfer tires or tubes in exchange for Part B of OPA Form R-2 (revised) or of OPA Form R-46 unless the name and address of the transferor of the Part B and the date of its transfer have been written thereon.

*Copies may be obtained from the Office of Price Administration.

¹ 7 F.R. 9160, 9392, 9724, 10072, 10336, 8 F.R. 435, 606, 585, 1628, 1629, 1839, 2030, 2348, 2152, 2670, 2595, 2680, 2719, 3071, 3314, 3521, 3702, 3837, 4179, 4628, 4769, 4849, 5483, 5477, 5565, 6735, 6736, 7198.

2. The first sentence in § 1315.804 (d) (3) is amended to read as follows:

No dealer or manufacturer shall transfer camelback in exchange for Part B of OPA Form R-2 (revised) unless the name and address of the transferor of the Part B and the date of its transfer have been written thereon.

3. Section 1315.1004 is hereby revoked.

4. The last sentence in the text of § 1315.1005 (a) is amended by deleting the following phrase and the semicolon immediately following it: "Serial number of the certificate or the receipt (if the transfer involved the use of a certificate or receipt);"

5. Section 1315.1007 is amended to read as follows:

§ 1315.1007 *Seller's inventories of tires and tubes.* Every person (except persons who are required to file an inventory of tires and tubes with the War Production Board) engaged in the business of selling tires, tubes or vehicles, and every person extending credit to another upon the security of a vehicle under an agreement permitting the lender to take possession of the vehicle, shall:

(a) Take a physical inventory of all unmounted tires and tubes in his possession or control on March 31, June 30, September 30 and December 31 of each year and keep a record thereof.

(b) File a report of such inventory on OPA Form R-17, in accordance with the instructions thereon.

6. Section 1315.1008 is hereby revoked.

This amendment shall become effective June 12, 1943.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, W.P.B. Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121).

Issued this 7th day of June 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-9230; Filed, June 8, 1943;
9:33 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 11, Correction to Amdt. 21]

TRANSPORTATION OF MAIL AND PARCEL POST

The designation § 1499.46 (b) (118) is corrected to read § 1499.46 (b) (120).

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of June 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-9240; Filed, June 8, 1943;
9:33 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 280,¹ Amdt. 25]

ICE CREAM MIX

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The effective date provision of Amendment No. 14 to Maximum Price Regulation 280 is amended to read as follows:

This Amendment No. 14 shall become effective February 22, 1943, and terminate on July 23, 1943.

This Amendment No. 25 shall become effective as of May 23, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of June 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-9231; Filed, June 8, 1943;
9:25 a. m.]

¹ 8 F.R. 5165, 6357, 7196.

PART 1364—FRESH, CURED AND CANNED
MEAT AND FISH

[Rev. MPR 148, Amdt. 5]

DRESSED HOGS AND WHOLESALE PORK CUTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 148 is amended in the following respects:

1. Section 1364.21 is amended to read as follows:

§ 1364.21 *Prohibition against selling dressed hogs and wholesale pork cuts at prices above the maximum.* On and after November 2, 1942, regardless of any contract, agreement, or other obligation, no person shall sell or deliver dressed hogs or any wholesale pork cut, and no person in the course of trade or business shall buy or receive dressed hogs or any wholesale pork cut at a price higher than the maximum price permitted by

*Copies may be obtained from the Office of Price Administration.

7 F.R. 8609, 9005, 8948; 8 F.R. 544, 2922, 8367, 4785.

§ 1364.22; and no person shall agree, offer, solicit or attempt to do any of the foregoing: *Provided*, That on and after June 14, 1943, a war procurement agency in addition to paying to the seller the maximum price for the commodity prescribed by the applicable provisions of this regulation, may pay to Defense Supplies Corporation an amount equivalent to the meat production payments made by Defense Supplies Corporation on account of the production of such meat.

2. Section 1364.22 (g) (3) is amended to read as follows:

(3) The maximum price for each dressed hog, dressed packer style or shipper style, sold to a buyer other than a certified dressed hog processor and delivered to the buyer shall be as follows:

PACKER STYLE

Weight range	Price per cwt.
Pigs and butcher hogs:	
Under 73 lbs.	\$19.75
73 lbs. & over, but under 90 lbs.	18.75
90 lbs. & over, but under 108 lbs.	18.25
108 lbs. & over, but under 124 lbs.	18.00
124 lbs. & over, but under 155 lbs.	17.75
155 lbs. & over, but under 213 lbs.	17.50
Over 213 lbs.	17.25

PACKER STYLE—Continued

Weight range	Price per cwt.
Sows:	
All weights	17.50
Stags:	
All weights	15.50
Boars:	
All weights	12.50
Only hogs (deduct \$1.50 per cwt. from above prices).	

SHIPPER STYLE

Weight range	Price per cwt.
Pigs and butcher hogs:	
Under 80 lbs.	\$18.75
80 lbs. & over, but under 100 lbs.	17.75
100 lbs. & over, but under 120 lbs.	17.25
120 lbs. & over, but under 137 lbs.	17.00
137 lbs. & over, but under 172 lbs.	16.75
172 lbs. & over, but under 235 lbs.	16.50
Over 235 lbs.	16.25
Sows:	
All weights	16.50
Stags:	
All weights	14.50
Boars:	
All weights	11.00
Only hogs (deduct \$1.50 per cwt. from above prices).	

plus the permitted additions, if any, specified in paragraphs (c) (2), (c) (3), (c) (4), (c) (5), and (c) (6) of Schedule IV of Appendix A (§ 1364.35).

3. Schedule I of § 1364.35 is amended to read as follows:

§ 1364.35 Appendix A: Schedules I, II, III and IV.

SCHEDULE I—PRICES OF WHOLESALE PORK CUTS

[All prices are per hundredweight loose basis, and do not include boxing, transportation or delivery costs, except where indicated otherwise. Weights are by range and not by average]

(a) Pork cuts: green or frozen, cured, smoked, ready-to-eat and cooked.

Item	Green or frozen		Cured		Smoked		Ready-to-eat		Cooked	
	Weight (pounds)	Price (dollars)	Weight (pounds)	Price (dollars)	Weight (pounds)	Price (dollars)	Weight (pounds)	Price (dollars)	Weight (pounds)	Price (dollars)
1. Hams—regular bone-in	Under 14	\$22.25	Under 14	\$22.25	Under 14	Wrapped \$26.25	Under 12	Wrapped \$29.00	Under 12	Wrapped \$29.00
	14-18	21.50	14-18	21.50	14-18	25.50	12-16	28.25	12-16	28.25
	Over 18	20.50	Over 18	20.50	Over 18	24.50	Over 16	27.25	Over 16	27.25
2. Hams—skinned bone-in	Under 14	24.25	Under 14	24.25	Under 14	28.50	Under 12	31.50	Under 12	31.50
	14-18	23.50	14-18	23.50	14-18	27.75	12-16	30.75	12-16	30.75
	Over 18	22.50	Over 18	22.50	Over 18	26.75	Over 16	29.75	Over 16	29.75
3. Hams—regular boneless	Under 14	25.25	Under 14	25.25	Under 12	29.75	Under 12	32.75	Under 12	32.75
	14-18	24.50	14-18	24.50	12-16	29.00	12-14	32.00	12-14	32.00
	Over 18	23.50	Over 18	23.50	Over 16	28.00	Over 14	31.00	Over 14	31.00
4. Hams—skinned boneless	Under 14	27.50	Under 14	27.50	Under 12	32.25	Under 12	35.50	Under 12	35.50
	14-18	26.75	14-18	26.75	12-16	31.50	12-14	34.75	12-14	34.75
	Over 18	25.75	Over 18	25.75	Over 16	30.50	Over 14	33.75	Over 14	33.75
5. Hams—regular boneless and fattened	Under 10	30.00	Under 10	30.00	Under 10	35.50	Under 8	38.75	Under 8	41.50
	10-14	29.00	10-14	29.00	10-12	34.50	8-12	37.75	8-12	39.75
	Over 14	27.50	Over 14	27.50	Over 12	33.00	Over 12	36.25	Over 12	37.50
6. Hams—skinless boneless and fattened	Under 10	32.50	Under 10	32.50	Under 10	38.25	Under 8	41.75	Under 8	44.75
	10-14	31.50	10-14	31.50	10-12	37.25	8-12	40.75	8-12	43.00
	Over 14	30.00	Over 14	30.00	Over 12	35.75	Over 12	39.25	Over 12	40.50
7. Boston butts	4-8	25.00	4-8	25.50	4-8	30.25	4-7	33.25		
	Over 8	24.00	Over 8	24.50	Over 8	29.25	Over 7	32.25		

[All prices are per hundred weight loose basis, and do not include boxing, transportation or delivery costs, except where indicated otherwise. Weights are by range and not by average]

(a) Pork cuts: green or frozen, cured, smoked, ready-to-eat and cooked.

Item	Green or frozen		Cured		Smoked		Ready-to-eat		Cooked	
	Weight (pounds)	Price (dollars)	Weight (pounds)	Price (dollars)	Weight (pounds)	Price (dollars)	Weight (pounds)	Price (dollars)	Weight (pounds)	Price (dollars)
8. Bellies—square cut and seedless.	Under 8.....	18.00	Under 8.....	19.00	Under 8.....	23.00				
	8-12.....	17.50	8-12.....	18.50	8-12.....	22.50				
	12-16.....	16.00	12-16.....	17.00	12-14.....	21.00				
	16-20.....	15.50	16-20.....	16.50	14-18.....	20.50				
9. Bellies—square cut and seedless, derined.	Under 8.....	20.25	Under 8.....	21.25	Under 8.....	25.75				
	8-12.....	19.75	8-12.....	20.75	8-10.....	25.25				
	12-16.....	18.00	12-16.....	19.00	10-14.....	22.50				
	16-20.....	17.50	16-20.....	18.50	14-16.....	21.75				
10. Loins—regular.....	Under 12.....	23.50	Under 12.....	24.00	Under 10.....	28.50				
	12-16.....	22.00	12-16.....	22.50	10-14.....	27.00				
	16-20.....	21.00	16-20.....	21.50	14-18.....	26.00				
	Over 20.....	20.00	Over 20.....	20.50	Over 18.....	25.00				
11. Picnics:										
Bone in.....		20.50		20.50		24.50		27.25		27.25
Boneless.....		23.75		23.75		28.25		31.25		31.25
Boneless, fatted and skinless.....		28.25		28.25		34.00		37.25		37.50
12. Shoulders—skinned (neck bone out):										
Bone in.....		22.50		22.50		26.50				29.50
Boneless.....		25.75		25.75		30.25				33.00
Boneless and fatted.....		28.50		28.50		34.25				38.25
13. Shoulders—regular neck bone out.....		20.50		20.50		24.50				
14. Shoulders—rough:										
Neck bone in.....		19.75		19.75		23.75				
Neck bone out.....		20.25		20.25		24.25				
15. Butts—boneless C. T.....		29.75		30.25		38.25		42.00		
16. Loins—boneless or Canadian bacon.....		33.50		34.00		41.25		45.00		
17. Sliced Canadian bacon.....						49.75		53.50		
18. Briskets.....		12.50		13.50		17.75				
19. Sliced bacon—derined:										
Standard Grade A.....						30.00				
Standard Grade B.....						27.00				
Standard Grade C.....						25.75				
Sliced jowl butts.....						18.50				
Sliced regular plates.....						18.00				
Bacon end slices.....						16.00				

(b) Pork cuts: green or frozen, cured, smoked and barbecued.

Item	Green or frozen	Cured	Smoked	Barbecued
1. Fat backs:				
Under 12 pounds.....	\$11.00	\$11.00	\$13.50	
12-16.....	11.50	11.50	14.00	
Over 16 pounds.....	12.00	12.00	14.50	
2. Fat back ends or squares.....	10.25	10.25	12.75	
3. Bellies—dry salt trim (clear or rib).....	14.50	15.00	17.50	
4. Plates and jowls:				
Clear plates.....	10.25	10.75	13.00	
Regular plates.....	11.25	11.75	14.00	
Jowl butts.....	10.25	10.75	13.00	
Square jowl butts.....	11.75	12.75	16.00	
5. Spareribs:				
8 pounds or less.....	16.25	\$16.25	\$17.25	22.25
3 to 5 pounds.....	13.75	13.75	14.75	19.75
5 pounds or over.....	12.25	12.25	13.25	18.25
6. Barbecue ribs, brisket bone off.....	18.50	18.50	19.50	24.50
7. Loin ribs.....	17.00	17.00	18.00	23.00
8. Sparerib brisket bones.....	6.75	6.75	7.75	10.75

¹ Wrapped.

(c) Pork cuts: cooked and smoked and baked or barbecued (wrapped).

Item	Cooked and smoked		Baked or barbecued	
	Weight	Price	Weight	Price
	Pounds		Pounds	
1. Hams—regular, boneless and fatted.....	Under 8.....	\$42.75	Under 8.....	\$46.00
	8-10.....	41.00	8-10.....	44.00
	Over 10.....	38.75	Over 10.....	41.50
2. Hams—skinless, boneless and fatted.....	Under 8.....	46.25	Under 8.....	49.25
	8-10.....	44.50	8-10.....	47.25
	Over 10.....	42.00	Over 10.....	44.50
3. Picnics—skinless, boneless and fatted.....	All weights.....	38.50	All weights.....	42.25
4. Shoulders—skinned, boneless and fatted.....			All weights.....	41.75

(d) Dried pork products.

Item:	Price
1. Virginia hams.....	\$43.00
2. Prosciutto hams.....	36.50
3. Virginia sides.....	28.75
4. Virginia bacon.....	32.00
5. Virginia jowls.....	21.50
6. Virginia shoulders.....	35.50
7. Capicalli butts.....	44.75

(e) Pork sausage material.

Item	Fresh or frozen	Cured
1. Regular trimmings—50% fat.....	\$18.00	\$18.00
2. Trimmings not more than 20% fat.....	27.25	27.25
3. Special lean trimmings (85% lean).....	28.50	28.50
4. Extra lean trimmings (95% lean).....	30.50	30.50
5. Neck bone trimmings.....	27.25	27.25
6. Blade meat.....	32.35	32.25
7. Skinned neck fat.....	11.00	
8. Skin-on neck fat.....	10.25	
9. Skinned back fat.....	11.00	
10. Skinned ham fat.....	11.00	10.50
11. Skinned shoulder fat.....	11.00	

(f) Miscellaneous pork cuts.

Item	Fresh or frozen	Cured		Smoked
		Not packed in tierces	Packed in tierces	
1. Hocks.....	\$14.25	\$14.25	\$15.25	\$18.00
2. Knuckles.....	11.00	11.00	12.00	14.75
3. Feet, short-cut.....	4.75	4.75		
4. Feet, long-cut.....	7.25	7.25		
5. Tails.....	10.00	10.00	11.00	13.75
6. Neck bones.....	4.75	4.75		7.50
7. No. 1 skins—strips.....	10.50	10.50		
8. Bacon skins.....	4.50	4.50		6.25
9. Gelatin skins (all rail shipments moving at carload rates must be sold on f. o. b. shipping point basis with buyer paying carrier's charges directly to the carrier).....	8.25	8.25		
10. Blade butts (blade bones).....	18.75	18.75		22.25
11. Back bones.....	3.75			
12. Pork tenderloins—10-lb. cartons or packages.....	32.00			
13. Pork tenderloin—tips.....	30.00			
14. Pork chops (this price applicable only to sales to purveyors of meals).....	27.50			
15. Canned ham, imported into United States (may be sold on an f. o. b. shipping point basis in l. c. l. quantities, if buyers pay carrier's charges directly to the carrier).....		54.00		

(g) Pork cuts packed in wood and glass containers.

Item	Container and net weight				
	Kit, 13 pounds each	1/4 barrel, 25 pounds each	1/4 barrel, 50 pounds each	1/4 barrel, 100 pounds each	Barrel, 200 pounds each
FAT BACK PORK					
[Pieces per barrel]					
1. 30-40 or 40-50.....	\$2.35	\$3.85	\$7.45	\$14.35	\$26.75
2. 50-60 or 60-70.....	2.30	3.75	7.25	14.00	26.00
3. 70-80 or 80-100 or 100-125.....	2.20	3.65	7.00	13.50	25.00
FLATE PORK					
4. 25-35 or 35-44 pieces per barrel.....	2.25	3.55	6.85	13.25	24.50
5. Brisket pork.....	2.50	4.00	7.75	15.00	28.00

	Container	Net weight, pounds	Price each
6. Vinegar pickled pork feet, cooked, bone in.....	Tierce.....	300	\$28.00
	Barrel.....	200	19.50
	½ barrel.....	75	7.90
	¼ barrel.....	35	3.80
	⅛ barrel.....	17	2.15
	Jar.....	37½	4.15
	Jar.....	22½	2.70
	Jar.....	18	2.20
	Jar.....	16¾	2.05
	Jar.....	6½	.80
7. Vinegar pickled long-cut pork feet, cooked, bone in.....	Kit.....	13	1.65
	Barrel.....	200	25.50
	Jar.....	16	2.65

(h) Products for War Procurement Agencies prepared according to United States Government specifications.

Fresh, frozen, cured and smoked items	Weight (pounds)	Price
1. Wiltshires—cured.....		\$20.00
2. Wiltshires—scalded, frozen in sacks.....		20.50
3. Overseas hams; Regular—shankless (96 hour smoke, long cure, wrapped in muslin. Packed in salt—C. Q. D. specifications).....	8-10.....	31.75
	10-14.....	31.00
	14-16.....	30.00
4. Overseas hams; Skinned—shankless (96 hour smoke, long cure, wrapped in muslin. Packed in salt—C. Q. D. specifications).....	8-10.....	34.25
	10-14.....	33.50
	14-16.....	32.50
5. Export hams; Regular—shank on (96 hour smoke, long cure, not wrapped. Packed in salt F. S. C. C. specifications).....	Under 12.....	28.75
	12-16.....	28.00
	Over 16.....	27.00
6. Export hams; Skinned—shank on (96 hour smoke, long cure, not wrapped. Packed in salt F. S. C. C. specifications).....	Under 12.....	31.00
	12-16.....	30.25
	Over 16.....	29.25
7. War hams; Regular (48 hour smoke, long cure, commercial wrapping, packed without salt, C. Q. D. specifications) (deduct \$.75 per cwt. if smoked 24 hours or more but less than 48 hours).....	8-12.....	28.00
	12-16.....	27.25
	Over 16.....	26.25
8. War hams; Skinned (48 hour smoke, long cure, commercial wrapping, packed without salt, C. Q. D. specifications) (deduct \$.75 per cwt. if smoked 24 hours or more but less than 48 hours).....	8-12.....	30.25
	12-16.....	29.50
	Over 16.....	28.50
9. Issue hams; Regular (short cure, 48 hour smoke, commercial wrapping). (If smoked 24 hours or more but less than 48 hours, use prices stated for smoked regular hams, item 1 of Schedule 1 (a).).....	8-14.....	26.75
	14-18.....	26.00
	18-20.....	25.00

Fresh, frozen, cured and smoked items	Weight (pounds)	Price
10. Issue hams: Skinned (short cure, 48 hour smoke, commercial wrapping). (If smoked 24 hours or more but less than 48 hours, use prices stated for smoked skinned hams, item 2 of Schedule 1 (a).)	8-14.....	\$29.00
	14-18.....	28.25
	18-20.....	27.25
11. Export hams: Regular (short cure, smoked 96 hours, not wrapped, packed in salt, F. S. C. C. specifications).	Under 12.....	26.75
	12-16.....	26.00
	Over 16.....	25.00
12. Export hams: Skinned (short cure, smoked 96 hours. Not wrapped, packed in salt, F. S. C. C. specifications).	Under 12.....	29.00
	12-16.....	28.25
	Over 16.....	27.25
18. War bacon (Fancy trimmed, Type 1, Smoked 48 hours. Commercial wrapping, C. Q. D. specifications).	6-8.....	24.75
	8-12.....	24.25
	12-14.....	22.75
	14-18.....	22.25
14. Overseas bacon (Fancy trimmed, Type 2, Smoked 96 hours. Dry salt cured, wrapped in muslin. Packed in salt C. Q. D. specifications).	Under 10.....	26.60
	10-14.....	24.00
	14-18.....	23.50
15. Rib backs: Short cut, dry salt cure.....		18.50
Short cut, dry salt cure, smoked (F. S. C. C. specifications).....		22.75
16. Semi-boneless loins.....	10 and down.....	29.50
	10-12.....	28.00
	12-18.....	27.00
17. Smoked picnic—export (F. S. C. C. specifications).....		25.00
18. Mess pork in barrels (200 pounds net green weight per barrel).....		42.75
19. Pork sausage, fresh or frozen:		
Bulk.....		25.50
In artificial casings.....		26.50
In hog casings.....		28.50
In sheep casings.....		30.50

Canned pork items	Size of can	Price (Dollars per 100 pounds)
20. Spiced luncheon meat.....	12 oz.....	35.25
	2½ lb.....	32.50
	6 lb.....	32.25
21. Spiced ham.....	12 oz.....	37.25
	2½ lb.....	34.50
	6 lb.....	34.25
22. Pork sausage.....	1½ lb.....	26.25
23. Pork sausage links S. C. H. C.....	2 lb.....	36.50
	2 lb.....	34.50
24. Pork sausage soya links.....	1½ or 2 lb.....	25.25
25. Corned pork.....	12 oz.....	56.00
	6 lb.....	52.00
26. Sliced bacon.....	1½ lb.....	32.00
	7 lb.....	31.75
27. Dry salt bacon.....	12 lb.....	27.00
	14 lb.....	26.75
28. Pork tongues.....	12 oz.....	36.75
	2½ lb.....	34.00
	6 lb.....	32.75
29. Pork soya segments.....	1½ lb. or 2 lb.....	23.75
30. Cvinaya tushonka.....	11¼ oz.....	41.50
	15¼ oz.....	40.75
	28 oz.....	40.00
	36 oz.....	39.50

4. Schedule II (b) of § 1364.35 is added to read as follows:

(b) For gelatin skins, in lieu of all other deductions, \$1.00 per cwt.

5. Schedule IV (a) of § 1364.35 is amended to read as follows:

(a) Table of weight ranges and seasonal denominators.

Weights of dressed hogs (by range)			Denominators by seasons			
Packer style (pounds)	Shipper style (pounds)	Related live hog weight classifications live weight (pounds)	December, January, February, March, April, and May		June, July, August, September, October, and November	
			Packer style	Shipper style	Packer style	Shipper style
Butcher hogs:						
1. 73-89.....	81-99.....	120-140.....	1.40	1.33	1.41	1.34
2. 90-107.....	100-119.....	140-160.....	1.33	1.26	1.34	1.27
3. 108-123.....	120-136.....	160-180.....	1.30	1.23	1.31	1.24
4. 124-138.....	137-153.....	180-200.....	1.23	1.21	1.29	1.22
5. 139-154.....	154-171.....	200-220.....	1.27	1.20	1.28	1.21
6. 155-169.....	172-188.....	220-240.....	1.26	1.19	1.27	1.20
7. 170-192.....	189-213.....	240-270.....	1.255	1.185	1.265	1.195
8. 193-213.....	214-235.....	270-300.....	1.25	1.18	1.26	1.19
9. 214-239.....	236-265.....	300-330.....	1.245	1.175	1.255	1.185
10. Over 239.....	Over 265.....	Over 330.....	1.24	1.17	1.25	1.18
Slaughter pigs:						
11. Under 73.....	Under 79.....	Under 120.....	1.48	1.41	1.49	1.42
Sows:						
12. 184-280.....	202-312.....	270-400.....	1.275	1.205	1.285	1.215
13. Over 280.....	Over 312.....	Over 400.....	1.27	1.20	1.28	1.21

This amendment shall become effective (1) as to sales of fresh and frozen wholesale pork cuts, by others than wholesalers, on June 14, 1943; (2) as to sales of fresh and frozen wholesale pork cuts, by wholesalers, on June 19, 1943; (3) as to sales of cured and processed wholesale pork cuts, by others than wholesalers, on June 28, 1943; and (4) as to sales of cured and processed wholesale pork cuts, by wholesalers, on July 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of June 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-9233; Filed, June 8, 1943;
9:30 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH

[Rev. MPR 169, Amdt. 15]

BEEF AND VEAL CARCASSES AND WHOLESALE CUTS

A statement of the considerations involved in the issuance of this amend-

8 F.R. 4097, 4786, 4844, 5170, 5478, 5634, 5058, 6427, 7109, 6945, 7199, 7200.

ment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 169 is amended in the following respects:

1. Section 1364.401 (e) is added to read as follows:

(e) *War Procurement Agencies.* Notwithstanding any of the foregoing provisions of this § 1364.401, a war procurement agency, in addition to paying to the seller the maximum price for the commodity prescribed by the applicable provision of this regulation, may pay to Defense Supplies Corporation an amount equivalent to the meat production payments made by Defense Supplies Corporation on account of the production of such meat.

2. Section 1364.452 (d) (2) is amended by changing the table of prices to read as follows:

[All prices are on dollars per hundredweight basis; the price for any fraction of a hundredweight shall be reduced accordingly]

*Copies may be obtained from the Office of Price Administration.

	Grade					
	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter, canner or D	Bologna bulls (equivalent cutter and canner grade)
STEER OR HEIFER						
(i) Beef carcass or side.....	\$20.00	\$19.00	\$17.00	\$15.00	\$12.50	\$13.00
(ii) Hindquarter.....	22.25	21.00	18.25	15.75	12.50	13.00
(iii) Forequarter.....	18.00	17.25	16.00	14.50	12.50	13.00
(iv) Round.....	21.75	20.50	18.25	15.50	12.50	13.00
(v) Trimmed full loin.....	29.00	27.25	22.50	19.25	12.50	13.00
(vi) Flank.....	12.50	12.50	12.50	12.50	12.50	13.00
(vii) Flank steak.....	23.00	23.00	23.00	23.00	12.50	13.00
(viii) Short loin.....	32.00	29.75	24.75	21.50	12.50	13.00
(ix) Sirloin.....	26.50	25.25	20.50	17.50	12.50	13.00
(x) Cross cut chuck.....	18.00	17.25	15.75	14.25	12.50	13.00
(xi) Regular chuck.....	19.50	18.25	17.00	15.00	12.50	13.00
(xii) Brisket.....	15.75	15.75	13.75	13.75	12.50	13.00
(xiii) Foreshank.....	11.50	11.50	11.50	11.50	12.50	13.00
(xiv) Rib.....	23.50	22.25	20.50	18.00	12.50	13.00
(xv) Short plate.....	13.50	13.50	12.75	12.75	12.50	13.00
(xvi) Back.....	20.50	19.25	18.00	15.75	12.50	13.00
(xvii) Triangle.....	17.25	16.50	15.25	14.00	12.50	13.00
(xviii) Arm chuck.....	18.25	17.25	16.25	14.50	12.50	13.00

3. Section 1364.452 (d) (3) is amended by changing the table of prices to read as follows:

[All prices are on dollars per hundredweight basis; the price for any fraction of a hundredweight shall be reduced accordingly]

	Grade					
	Choice or AA	Good or A	Commercial or B	Utility or C	Cutter, canner or D	Bologna bulls (equivalent cutter and canner grade)
STEER OR HEIFER						
(i) Forequarter.....	\$18.75	\$18.00	\$16.75	\$15.25	\$13.25	\$13.75
(ii) Triangle.....	18.00	17.25	16.00	14.75	12.50	13.00
(iii) Cross cut chuck.....	18.75	18.00	16.50	15.00	12.50	13.00
(iv) Regular chuck.....	20.25	19.00	17.75	15.75	12.50	13.00
(v) Brisket.....	16.50	16.50	14.50	14.50	12.50	13.00
(vi) Foreshank.....	12.25	12.25	12.25	12.25	12.50	13.00
(vii) Short plate.....	14.25	14.25	13.50	13.50	12.50	13.00
(viii) Arm chuck.....	19.00	18.00	17.00	15.25	12.50	13.00
(ix) Rib.....	24.25	23.00	21.25	18.75	12.50	13.00

4. Section 1364.452 (1) (2) is amended to read as follows:

(2) The maximum delivered price for boneless beef for Army canned meat in each of the following price zones shall be:

Price zone:	Zone price per cwt. frozen and boxed
1.....	\$19.50
2.....	18.75
3.....	17.75
4.....	17.75
5.....	18.25
6.....	18.50
7.....	18.75
8.....	19.00
9.....	19.25
10.....	19.50

5. Section 1364.452 (m) (2) is amended to read as follows:

(2) The maximum f. o. b. boning plant price for frozen boneless beef (Army specifications) in each of the following price zones shall be:

[Carload or less than carload quantities; in dollars per hundredweight; frozen and packaged]

Price Zone	Grade		
	Good or A	Commercial or B	Utility or C
1.....	\$28.25	\$25.25	\$22.50
2.....	27.50	24.50	21.75
3.....	26.50	23.50	20.75
4.....	26.50	23.50	20.75
5.....	27.00	24.00	21.25
6.....	27.25	24.25	21.50
7.....	27.50	24.50	21.75
8.....	27.75	24.75	22.00
9.....	28.00	25.00	22.25
10.....	28.25	25.25	22.50

6. Section 1364.452 (n) (2) is amended by changing table of prices (A) to read as follows:

(A)

[All prices are on a dollars per hundredweight basis; the price for any fraction of a hundredweight shall be reduced accordingly]

Price zones	I Boneless bull (equivalent cutter and canner) fresh or frozen	II Fresh or frozen cutter and canner (other than boneless bull)	III Fresh kosher boneless bull fore-quarter (equivalent cutter and canner) note 1	IV Fresh kosher boneless bull fore-quarter (equivalent cutter and canner) note 2
1.....	\$19.25	\$18.25	-----	\$20.25
2.....	18.50	17.50	-----	19.50
3.....	17.50	16.50	-----	18.50
4.....	17.50	16.50	-----	18.50
5.....	18.00	17.00	-----	19.00
6.....	18.25	17.25	-----	19.25
7.....	18.50	17.50	-----	19.50
8.....	18.75	17.75	-----	19.75
9.....	19.00	18.00	\$21.50	20.00
10.....	19.25	18.25	-----	20.25

7. Section 1364.452 (n) (2) is amended by changing table of prices (B) to read as follows:

10. Section 1364.452 (o) (5) is amended by changing the table of prices to read as follows:

Price zones	Grade			
	Choice or AA	Good or A	Commercial or B	Utility or C
(i) Round, rump and flank off	\$28.25	\$26.50	\$23.25	\$19.25
(ii) Boneless rump (butt)	22.75	20.50	19.25	17.00
(iii) Boneless rump	11.50	11.50	11.50	11.50
(iv) Boneless round	30.50	28.50	25.00	20.75
(v) Inside (top) round	33.50	31.25	27.00	21.75
(vi) Outside (bottom) round	33.50	31.25	27.00	21.75
(vii) Knuckle (face)	33.50	31.25	27.00	21.75
(viii) Groseneck boneless round	20.25	21.75	21.75	20.50
(ix) Strip loin (bone in)	46.00	41.50	41.50	38.00
(x) Boneless strip	55.25	49.75	45.00	43.00
(xi) Trimmings of beef tenderloin	54.00	54.00	45.00	43.00
(xii) Trimmings of beef tenderloin (butt tenderloin)	54.00	54.00	45.00	43.00
(xiii) Trimmings of beef tenderloin (short tenderloin)	34.00	31.75	24.75	18.75
(xiv) Boneless sirloin (butt)	28.50	26.25	19.75	16.25
(xv) Top sirloin (butt)	41.75	39.25	31.75	22.25
(xvi) Boneless chuck	35.00	32.50	21.75	19.25
(xvii) Boneless chuck (shoulder clod out)	24.00	22.50	21.00	18.50
(xviii) Shoulder clod	28.50	26.50	24.75	18.75
(xix) Boneless brisket	22.00	22.00	18.75	17.25
(xx) Boneless brisket (deckle off)	27.25	27.25	23.00	22.00
(xxi) Oven prepared rib	29.50	27.50	25.50	22.00
(xxii) Rib short ribs, plate short ribs	19.00	19.00	17.25	17.25
(xxiii) Rib, boned, rolled and tied	36.50	34.50	31.50	27.25
(xxiv) Spencer roll	(1)	(1)	(1)	(1)
(xxv) Regular roll (rib eye)	18.75	18.75	17.50	17.00
(xxvi) Boneless short plate	21.50	21.50	21.50	21.50
(xxvii) Cube steaks	23.00	23.00	23.00	23.00
(xxviii) Flank steaks (scored)	46.50	43.50	35.50	31.50
(xxix) Club steaks (bone in)	57.00	51.25	42.75	34.50
(xxx) Boneless strip steaks	46.50	43.50	35.50	31.50
(xxxi) Porterhouse steaks (bone in)	46.50	43.50	35.50	31.50
(xxxii) T-bone steaks (bone in)	46.50	43.50	35.50	31.50
(xxxiii) Boneless sirloin steaks	35.00	32.75	25.50	19.25
(xxxiv) Top sirloin steaks	43.00	40.50	32.75	23.00

¹ This grade not permitted to be sold and/or delivered.

11. Section 1364.452 (o) (6) is amended by changing the table of prices to read as follows:

[All prices are on dollars per hundredweight basis; the price for any fraction of a hundredweight shall be reduced accordingly; all prices set forth herein include costs of packaging, except where otherwise specifically provided for]

	Per cwt.
(i) Ground beef, fresh	\$19.50
(ii) Ground beef, sharp frozen	20.25
(iii) Ground beef, patties	20.75
(iv) Ground beef, patties (shipped in dry ice)	21.75
(v) Canner, cutter or bull tenderloins 2 to 3 lbs.	27.50
(vi) Canner, cutter or bull tenderloins 3 to 5 lbs.	30.25
(vii) Canner, cutter or bull tenderloins 5 to 6 lbs.	36.00
(viii) Canner, cutter or bull tenderloins 6 lbs and up	42.50
Dried beef:	
(ix) Beef inside	47.00
(x) Beef outside	45.25
(xi) Beef knuckle, bone in	43.00

8. Section 1364.452 (n) (3) is amended to read as follows:

(3) "Boneless processing beef" as used in this paragraph (n) of this § 1364.452 means any beef carcass of cutter and canner grade, including any bull carcass of equivalent grade, commonly designated as "bologna bull", from which the bones have been removed and which has been trimmed. Boneless processing beef includes the item, boneless chucks (regular chucks from which the bones have been removed), derived from boneless carcasses of cutter and canner grade, including bologna bulls. Beef trimmings of any grade, all grades of rough flank meat (wholesale flank after removal of the flank steak), boneless foreshanks of the grade, and boneless hindshanks of cutter and canner grade are separate items of boneless processing beef.

9. Section 1364.452 (o) (4) is amended by changing the table of prices to read as follows:

[All prices are on a dollars per hundredweight basis; the price for any fraction of a hundredweight shall be reduced accordingly. The prices set forth herein include cost of packaging]

Price zones	Grade			
	Choice or AA	Good or A	Commercial or B	Utility or C
(i) Round, rump and flank off	\$30.00	\$28.75	\$24.75	\$20.50
(ii) Boneless rump (butt)	25.00	22.75	21.00	18.75
(iii) Boneless rump	11.50	11.50	11.50	11.50
(iv) Boneless round	33.00	31.00	27.25	22.50
(v) Inside (top) round	36.75	34.25	29.75	24.25
(vi) Outside (bottom) round	36.75	34.25	29.75	24.25
(vii) Knuckle (face)	36.75	34.25	29.75	24.25
(viii) Groseneck boneless round	32.50	29.75	26.50	23.00
(ix) Strip loin (bone in)	49.00	44.75	44.00	38.75
(x) Boneless strip	58.25	53.75	49.25	43.25
(xi) Trimmings of beef tenderloin	58.25	53.75	49.25	43.25
(xii) Trimmings of beef tenderloin (butt tenderloin)	58.25	53.75	49.25	43.25
(xiii) Trimmings of beef tenderloin (short tenderloin)	35.25	32.25	26.25	21.25
(xiv) Boneless sirloin (butt)	46.25	42.25	35.25	29.25
(xv) Top sirloin (butt)	57.25	53.25	46.25	39.25
(xvi) Boneless chuck	30.25	27.25	20.25	17.25
(xvii) Boneless chuck (shoulder clod out)	26.25	24.25	20.25	17.25
(xviii) Shoulder clod	30.25	27.25	20.25	17.25
(xix) Boneless briskets (deckle off)	50.00	46.25	39.25	33.25
(xx) Boneless strip steaks	46.25	42.25	35.25	29.25
(xxi) Porterhouse steaks (bone in)	46.25	42.25	35.25	29.25
(xxii) T-bone steaks (bone in)	46.25	42.25	35.25	29.25
(xxiii) Boneless sirloin steaks	31.00	29.50	24.75	20.50
(xxiv) Top sirloin steaks	31.00	29.50	24.75	20.50
(xxv) Spencer roll	(1)	(1)	(1)	(1)
(xxvi) Regular roll (rib eye)	20.00	19.00	16.50	15.00
(xxvii) Boneless short plate	22.50	21.50	19.00	17.50
(xxviii) Cube steaks	25.00	24.00	21.50	20.00
(xxix) Flank steaks (scored)	50.00	47.00	40.00	35.00
(xxx) Club steaks (bone in)	61.25	55.25	45.25	37.25
(xxxi) Porterhouse steaks (bone in)	50.00	47.00	40.00	35.00
(xxxii) T-bone steaks (bone in)	50.00	47.00	40.00	35.00
(xxxiii) Boneless sirloin steaks	37.75	35.25	27.75	21.75
(xxxiv) Top sirloin steaks	47.00	43.25	36.75	27.00

¹ This grade not permitted to be sold and/or delivered.

(b) [All prices are on a dollars per hundredweight basis; the price for any fraction of a hundredweight shall be reduced accordingly]

Price zones	Grade				
	A	VI	VII	VIII	IX
1	Beef trimmings; 25% trimma- ble fat; fresh or frozen	Boneless chuck (cutter and canner including bulls) 10% trimmable fat; fresh or frozen	Boneless shank meat; fresh or frozen	Rough flank steak removed (flank steak removed)	Sterilized beef trimmings; 25% trimmable fat; fresh or frozen
2	16.75	18.50	18.50	12.75	14.75
3	16.00	17.75	17.50	12.00	14.00
4	15.00	16.75	16.50	11.00	13.00
5	15.00	16.75	16.50	11.00	13.00
6	15.00	17.25	17.00	11.50	13.50
7	15.75	17.50	17.25	11.75	13.75
8	16.00	17.75	17.75	12.00	14.00
9	16.25	18.00	18.00	12.25	14.25
10	16.50	18.25	18.25	12.50	14.50
	16.75	18.50	18.50	12.75	14.75

12. Section 1364.452 (p) (3) is amended to read as follows:

(3) Subject to the provisions of subparagraph (8) hereof, the applicable zone price for ground beef and each of the following miscellaneous beef items shall be:

[All prices are on a dollars per hundredweight basis, except where otherwise noted; the price for any fraction of a hundredweight shall be reduced accordingly]

Zone	I Ground beef, quick frozen and packaged in fiber boxes or containers ¹	II Ground beef patties, quick frozen and packaged in fiber boxes or containers ¹	III Trimmed beef tenderloins, cutter and canner grade and bologna bull.				IV Corned beef—loose basis							
			1	2	3	4	1	2	3	4	5	6	7	8
			Range 2-3 lbs.	Range 3-5 lbs.	Range 5-6 lbs.	Range 6 lbs. and up	Corned briskets, boneless, deekle on ²	Corned briskets, boneless, deekle off ²	Corned short plates, "bone in" ²	Corned short plates, boneless ²	Kosher corned boneless briskets, "deekle on" ²	Kosher corned boneless briskets, "deekle off" ²	Kosher corned short plates, bone in ²	Kosher corned short plates, boneless ²
1	\$20.00	\$20.50	\$26.75	\$29.25	\$34.75	\$40.50	Choice and Good AA and A	Choice and Good AA and A	Choice and Good AA and A	Choice and Good AA and A	Choice and Good AA and A	Choice and Good AA and A	Choice and Good AA and A	Choice and Good AA and A
2	19.25	19.75	26.00	28.50	34.00	39.75	Commercial and Utility B and C	Commercial and Utility B and C	Commercial and Utility B and C	Commercial and Utility B and C	Commercial and Utility B and C	Commercial and Utility B and C	Commercial and Utility B and C	Commercial and Utility B and C
3	18.25	18.75	25.00	27.50	33.00	38.75	Choice and Good AA and A	Choice and Good AA and A	Choice and Good AA and A	Choice and Good AA and A	Choice and Good AA and A	Choice and Good AA and A	Choice and Good AA and A	Choice and Good AA and A
4	18.25	18.75	25.00	27.50	33.00	38.75	Commercial and Utility B and C	Commercial and Utility B and C	Commercial and Utility B and C	Commercial and Utility B and C	Commercial and Utility B and C	Commercial and Utility B and C	Commercial and Utility B and C	Commercial and Utility B and C
5	18.75	19.25	25.50	28.00	33.50	39.25	Choice and Good AA and A	Choice and Good AA and A	Choice and Good AA and A	Choice and Good AA and A	Choice and Good AA and A	Choice and Good AA and A	Choice and Good AA and A	Choice and Good AA and A
6	19.00	19.50	25.75	28.25	33.75	39.50	Commercial and Utility B and C	Commercial and Utility B and C	Commercial and Utility B and C	Commercial and Utility B and C	Commercial and Utility B and C	Commercial and Utility B and C	Commercial and Utility B and C	Commercial and Utility B and C
7	19.25	19.75	26.00	28.50	34.00	39.75	Choice and Good AA and A	Choice and Good AA and A	Choice and Good AA and A	Choice and Good AA and A	Choice and Good AA and A	Choice and Good AA and A	Choice and Good AA and A	Choice and Good AA and A
8	19.50	20.00	26.25	28.75	34.25	40.00	Commercial and Utility B and C	Commercial and Utility B and C	Commercial and Utility B and C	Commercial and Utility B and C	Commercial and Utility B and C	Commercial and Utility B and C	Commercial and Utility B and C	Commercial and Utility B and C
9	19.75	20.25	26.50	29.00	34.50	40.25	Choice and Good AA and A	Choice and Good AA and A	Choice and Good AA and A	Choice and Good AA and A	Choice and Good AA and A	Choice and Good AA and A	Choice and Good AA and A	Choice and Good AA and A
10	20.00	20.50	26.75	29.25	34.75	40.50	Commercial and Utility B and C	Commercial and Utility B and C	Commercial and Utility B and C	Commercial and Utility B and C	Commercial and Utility B and C	Commercial and Utility B and C	Commercial and Utility B and C	Commercial and Utility B and C

Zone	V Corned beef (Army, Navy or Federal Surplus Commodities Corporation Specifications)—loose basis—may be sold to War Procurement Agencies only					VI Dried beef								VII Sliced dried beef		
	1	2	3	4	5	1	2	3	4	5	6	7	8	1	2	3
	Corned briskets, boneless, "deekle on" ²	Corned briskets, boneless, "deekle off" ²	Corned short plates, bone in ²	Corned short plates, boneless ²	Corned rump butts, Utility or C grade ²	Cured beef ham sets, Utility or C grade ²	Dried beef ham sets—Utility or C grade, wrapped in parchment paper ²	Cured beef insides, Utility or C grade ²	Dried beef insides, Utility or C grade, wrapped in parchment paper ²	Cured beef outsides, Utility or C grade ²	Dried beef outsides, Utility or C grade, wrapped in parchment paper ²	Cured beef knuckles "bone in", Utility or C grade ²	Dried beef knuckles "bone in", Utility or C grade, wrapped in parchment paper ²	Packed in 5 lb. cartons	Packed in 3 lb. cartons	Packed in 1/4 lb. cellophane packages
1	\$22.75	\$20.875	\$26.75	\$25.25	\$16.75	\$16.00	\$20.50	\$19.50	\$21.50	\$26.25	\$46.00	\$27.50	\$47.50	\$25.50	\$45.75	\$25.00
2	22.00	20.125	26.00	24.50	16.00	15.25	19.75	18.75	20.75	25.50	45.25	26.75	46.75	24.75	45.00	24.25
3	21.00	19.125	25.00	23.50	15.00	14.25	18.75	17.75	19.75	24.50	44.25	25.75	45.75	23.75	44.00	23.25
4	21.00	19.125	25.00	23.50	15.00	14.25	18.75	17.75	19.75	24.50	44.25	25.75	45.75	23.75	44.00	23.25
5	21.50	19.625	25.50	24.00	15.50	14.75	19.25	18.25	20.25	25.00	44.75	26.25	46.25	24.25	44.50	23.75
6	21.75	19.875	25.75	24.25	15.75	15.00	19.50	18.50	20.50	25.25	45.00	26.50	46.50	24.50	44.75	24.00
7	22.00	20.125	26.00	24.50	16.00	15.25	19.75	18.75	20.75	25.50	45.25	26.75	46.75	24.75	45.00	24.25
8	22.25	20.375	26.25	24.75	16.25	15.50	20.00	19.00	21.00	25.75	45.50	27.00	47.00	25.00	45.25	24.50
9	22.50	20.625	26.50	25.00	16.50	15.75	20.25	19.25	21.25	26.00	45.75	27.25	47.25	25.25	45.50	24.75
10	22.75	20.875	26.75	25.25	16.75	16.00	20.50	19.50	21.50	26.25	46.00	27.50	47.50	25.50	45.75	25.00

¹ If ground beef is not quick frozen, the applicable zone price shall be reduced 75¢ per cwt. If ground beef is unpackaged or packaged otherwise than in fiber boxes or containers, the applicable zone price shall be reduced 25¢ per cwt.

² If ground beef patties are not quick frozen, the applicable zone price shall be reduced 75¢ per cwt. If ground beef patties are unpackaged or packaged otherwise than in fiber boxes or containers, the applicable zone price shall be reduced 25¢ per cwt. For ground beef patties, quick frozen, and packaged in double corrugated cartons containing 10 or 20 pounds of product which is wrapped in white wax paper and shipped with dry ice to assure delivery in a frozen condition, \$1.00 per cwt. may be added to the applicable zone price.

³ (a) The following packaging charges may be added to the applicable zone price:

	Per cwt.
For slack barrels	\$0.25
For tierces "pickle on"	1.00
For 200 lb. net weight tight hardwood barrels "pickle on"	1.50
For 100 lb. net weight tight hardwood barrels "pickle on"	1.75
For 50 lb. net weight tight hardwood kegs "pickle on"	2.00
For 25 lb. net weight tight hardwood kits "pickle on"	2.50
For one piece fibre carton	.75
For wooden boxes	.50

(b) For kosher corned beef items made from cattle slaughtered in that portion of Zone 9 north of the Potomac River, which meat clearly bears the abattoir's stamp at the time of sale, the seller may add \$1.50 per cwt. to the applicable Zone 9 price in column IV hereof: *Provided*, That such kosher corned beef shall be sold to a bona fide seller of kosher meat located in that portion of Zone 9 north of the Potomac River. This addition shall not be charged or received for the sale of any kosher corned beef item which does not bear the abattoir's stamp clearly legible.

⁴ If dried beef is sold unwrapped or wrapped otherwise than in parchment paper, the applicable zone price shall be reduced 25¢ per cwt. For packing in slack barrels 25¢ per cwt. may be added.

13. Section 1364.452 (p) (8) is added to read as follows:

(8) For any item subject to this paragraph (p) which does not satisfy the specifications or which is made from wholesale cuts, portions of beef or grades of beef not authorized, the zone price used for the determination of the maximum price shall be the applicable zone price of the lowest priced miscellaneous beef item.

14. Section 1364.452 (p) (7) (i) is amended to read as follows:

(i) *Full trimmed beef tenderloin.* "Full trimmed beef tenderloin" means the cutter and canner or bologna bull grade tenderloin muscle with the attached side strip muscle lying inside of the full loin, cut and trimmed as herein required. The tenderloin shall be removed from the full loin by cutting along the inside of the chine bone following the conformation of this bone from the tip of the loin or at the point where the 13th rib joins the 13th thoracic vertebra to the end of the chine bone or at a point adjacent to the 5th sacral vertebra and by a cut at the butt end of the tenderloin which shall be made along the hip bone following the natural seam (or blue seam) in the sirloin end of loin. Full trimmed beef tenderloin shall be void of any head muscle and all the excess fat shall be removed from the back of the tenderloin so as to expose the gland which lies about 6 inches forward from the butt end of the tenderloin. All the fat lying beyond the exposed gland shall be tapered down to a point that in no case shall extend beyond three quarters of the length of the entire tenderloin.

15. Section 1364.453 (b) and (c) are consolidated into a single paragraph designated as § 1364.453 (b) which is amended to read as follows:

(b) *Quantity discounts.* For all beef carcasses and/or beef wholesale cuts, and/or other meat items subject to this subpart B, sold, delivered or shipped as part of a transaction

(1) Involving 10,000 lbs. or more of meat, edible meat by-products and sausage, the seller shall deduct 62½¢ per cwt. from the applicable zone price;

(2) Involving 2,000 lbs. or more, but less than 10,000 lbs. of meat, edible meat by-products and sausage, the seller shall deduct 50¢ per cwt. from the applicable zone price; or

(3) Involving 500 lbs. or more, but less than 2,000 lbs. of meat, edible meat by-products and sausage, the seller shall deduct 37½¢ per cwt. from the applicable zone price.

16. Section 1364.454 (d) is amended to read as follows:

(d) *Wholesalers' selling addition.* On sales of any beef carcass or beef wholesale cut not obtained through custom slaughtering a wholesaler may add 37½¢ per cwt. to the applicable zone price.

17. Section 1364.455 (a) (9) (xv) is amended to read as follows:

(xv) "Back" means the portion of the forequarter remaining after the severance of the short plate, brisket and fore-shank from the forequarter, and containing the rib and regular chuck all in one piece, which portion shall be obtained by one cut made in a straight line starting at a fixed point determined by measuring off 10 inches on the inside of the 12th rib along the 12th rib from the center of the inside protruding edge of the 12th thoracic vertebra, and continuing to a point measured off 10 inches on the inside of the 5th rib along the 5th rib from the center of the inside protruding edge of the 5th thoracic vertebra; and a second cut made in a straight

line starting from the termination point of the first cut and continuing through a fixed point at the tip of the forward end of the breast bone, including the cartilage in young cattle or the ossified bone in the older cattle (forward end of the 1st segment of sternum), through the (humerus) arm bone in the same straight line to complete the cut. (Note: Measurements shall be made from the center of the protruding edge of the 12th and 5th thoracic vertebrae, and not from the hollow of the chine.)

18. Section 1364.467 (d) (2) is amended by changing the table of prices to read as follows:

	Choice or AA	Good or A	Commercial or B	Utility or C	Cull or D
(i) Carcass—hide on—57 pounds to 170 pounds	\$19.75	\$18.75	\$17.00	\$15.25	\$13.00
(ii) Carcass—hide on—over 170 pounds to 315 pounds	19.25	18.25	16.50	14.75	12.75
(iii) Carcass—hide on—under 57 pounds	18.75	17.75	16.00	14.25	12.00
(iv) Carcass or side—hide off—50 to 275 pounds	20.00	19.00	17.00	15.00	12.50
(v) Carcass or side—hide off—under 50 pounds	19.00	18.00	16.00	14.00	11.50
(vi) Foresaddle or forequarter	17.75	17.25	15.75	14.25	11.00
(vii) Kasher foresaddle or forequarter	18.25	17.75	16.25	14.75	11.50
(viii) Hindsaddle or hindquarter	22.50	21.00	18.50	16.00	14.25
(ix) Loin, double or single	21.75	20.25	17.75	15.25	13.75
(x) Legs or leg	23.00	21.50	19.00	16.50	14.50

19. Section 1364.467 (1) (2) is amended to read as follows:

(2) The maximum f. o. b. boning plant price for frozen boneless veal (F. S. C. C. Specifications), including cost of boxing and freezing, in each of the following price zones shall be:

Price zone:	Zone price per cwt.
1	\$23.00
2	22.00
3	21.25
4	20.50
5	21.00

Price zone—Continued.	Zone price per cwt.
6	\$21.25
7	21.50
8	21.75
9	22.00
10	22.25

20. Section 1364.467 (m) (2) is amended by changing the table of prices to read as follows:

(2) The maximum price for each boneless or miscellaneous veal cut, not including boxing, in each price zone shall be:

Item	Zones									
	1	2	3	4	5	6	7	8	9	10
(i) Boneless veal leg or round	\$24.75	\$23.75	\$23.00	\$22.25	\$22.75	\$23.00	\$23.25	\$23.50	\$23.75	\$24.00
(ii) Boneless veal sirloin strip	24.50	23.50	22.75	22.00	22.50	22.75	23.00	23.25	23.50	23.75
(iii) Veal tenderloin	24.50	23.50	22.75	22.00	22.50	22.75	23.00	23.25	23.50	23.75
(iv) Boneless veal regular rib roll	24.25	23.25	22.50	21.75	22.25	22.50	22.75	23.00	23.25	23.50
(v) Boneless veal shoulder clod	23.75	22.75	22.00	21.25	21.75	22.00	22.25	22.50	22.75	23.00
(vi) Boned, rolled and tied veal roll	22.75	21.75	21.00	20.25	20.75	21.00	21.25	21.50	21.75	22.00
(vii) Boneless veal trimmings	21.00	20.00	19.25	18.50	19.00	19.25	19.50	19.75	20.00	20.25
(viii) Boneless kosher veal forequarter	22.00	21.00	20.25	19.50	20.00	20.25	20.50	20.75	21.00	21.25
Note 1	22.00	21.00	20.25	19.50	20.00	20.25	20.50	20.75	21.00	21.25
(ix) Veal neck bones	7.00	6.00	5.25	4.50	5.00	5.25	5.50	5.75	6.00	6.25

21. Section 1364.467 (n) (4) is amended by changing the table of prices to read as follows:

[All prices are on dollars per hundredweight basis; the price for any fraction of a hundredweight shall be reduced accordingly; all prices set forth herein include costs of packaging, except where otherwise specifically provided for]

Fabricated veal cuts	Grade			
	Choice or AA	Good or A	Commercial or B	Utility or C
(i) Veal loin, flank off, kidney and suet out	\$32.25	\$29.50	\$24.75	\$20.25
(ii) Veal loin steaks—T-bone, porterhouse, and club	33.75	30.75	26.00	21.00
(iii) Veal leg—boned, rolled, and tied	36.00	33.75	29.75	25.50
(iv) Veal leg—oven prepared	33.00	31.00	27.25	23.50
(v) Veal hotel rack—chine removed, blade bone out	31.50	30.50	28.00	25.50
(vi) Veal rack or rib chops	30.25	29.50	27.00	24.50
(vii) Veal shoulder—boned, rolled, and tied	30.75	30.00	27.50	24.75
(viii) Boneless veal shank meat	26.50	25.50	23.25	20.50
(ix) Veal breast—regular stew, bone in	14.75	14.25	13.00	11.50
(x) Veal breast with pocket	14.75	14.25	13.00	11.50
(xi) Boneless veal shoulder stew	30.75	30.00	27.25	24.75

22. Section 1364.467 (n) (5) is amended by changing the table of prices to read as follows:

[All prices are on dollars per hundredweight basis; the price for any fraction of a hundredweight shall be reduced accordingly; all prices set forth herein include costs of packaging, except where otherwise specifically provided for]

Fabricated veal cuts	Grade			
	Choice or AA	Good or A	Commercial or B	Utility or C
(i) Veal loin—flank off, kidney and suet out	\$29.75	\$27.25	\$22.75	\$18.50
(ii) Veal loin steaks—T-bone, porterhouse, and club	30.50	27.75	23.25	18.75
(iii) Veal leg—boned, rolled, and tied	33.50	31.25	27.50	23.75
(iv) Veal leg—oven prepared	30.75	28.75	25.25	22.00
(v) Veal hotel rack—chine removed, blade bone out	29.50	28.50	26.25	23.75
(vi) Veal rack or rib chops	28.25	27.25	25.00	22.75
(vii) Veal shoulder—boned, rolled, and tied	28.50	27.75	25.50	23.00
(viii) Boneless veal shank meat	24.75	23.75	21.75	19.25
(ix) Veal breast—regular stew, bone in	14.00	13.50	12.25	11.00
(x) Veal breast with pocket	14.00	13.50	12.25	11.00
(xi) Boneless veal shoulder stew	28.50	27.75	25.25	23.00

23. Section 1364.468 (b) and (c) are consolidated into a single paragraph designated as § 1364.468 (b) which is amended to read as follows:

(b) *Quantity discounts.* For all veal carcasses and/or veal wholesale cuts and/or other meat items subject to this Subpart C sold, delivered or shipped as part of a transaction.

(1) Involving 10,000 lbs. or more of meat, edible meat by-products and sausage, the seller shall deduct 62½¢ per cwt. from the applicable zone price;

(2) Involving 2,000 lbs. or more, but less than 10,000 lbs. of meat, edible meat by-products and sausage, the seller shall deduct 50¢ per cwt. from the applicable zone price; or

(3) Involving 500 lbs. or more, but less than 2,000 lbs. of meat, edible meat by-products and sausage, the seller shall deduct 37½¢ per cwt. from the applicable zone price.

24. Section 1364.469 (d) is amended to read as follows:

(d) *Wholesalers' selling addition.* On sales of any veal carcass or veal wholesale cut not obtained through custom slaughtering a wholesaler may add 37½¢ per cwt. to the applicable zone price.

25. Section 1364.476 (1) is added to read as follows:

(1) *Limitation of maximum prices.* Notwithstanding any other provision of this subpart D, effective July 5, 1943, the maximum price for each grade of each processed product shall not exceed the price computed in the following manner:

(i) The seller shall itemize separately the maximum price determined pursuant to this § 1364.476 for each grade of each processed product and the unit of weight to which such price is applicable.

(ii) Taking each processed product separately as recorded in (i), the seller shall record the name, grade and weight of each ingredient used in preparing 100 lbs. of the finished processed product.

(iii) Using the figures enumerated in (i) the seller shall compute and record his sales realization at his maximum selling price for 100 lbs. of the finished processed product.

(iv) The seller shall compute the amount of the reduction in meat costs

(using new maximum prices and maximum prices in effect on June 12, 1943) for the kind, grade and quantity of meat used in preparing 100 lbs of the finished processed product.

(v) The seller shall deduct the figure obtained in (iv) from the figure obtained in (iii) and use the result to determine the adjusted maximum price for the unit of weight of the processed product.

(vi) Not later than July 19, 1943, each seller subject to this subpart D shall file with the OPA at Washington, D. C. a copy of his adjusted maximum selling prices for each grade of each processed product together with a copy of the full computation as required by subdivisions (i) to (v), inclusive.

This amendment shall become effective: (1) as to sales of fresh and frozen beef and veal, by others than wholesalers, hotel supply houses and peddler truck sellers, on June 14, 1943; (2) as to sales of fresh and frozen beef and veal, by wholesalers, hotel supply houses and peddler truck sellers, on June 19, 1943; (3) as to sales of miscellaneous beef items, and processed products, by others than wholesalers, hotel supply houses and peddler truck sellers, on June 28, 1943; and (4) as to sales of miscellaneous beef items and processed products, by wholesalers, hotel supply houses and peddler truck sellers, on July 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of June 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-9235; Filed, June 8, 1943; 9:28 a. m.]

PART 1364—FRESH, CURED AND CANNED
MEAT AND FISH PRODUCTS
[Rev. MPR 239, Amdt. 4]

LAMB AND MUTTON CARCASSES AND CUTS AT
WHOLESALE AND RETAIL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith,

*7 F.R. 10688; 8 F.R. 3589, 4786.

has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 239 is amended in the following respects:

1. Section 1364.151 is amended to read as follows:

§ 1364.151 *Prohibition against dealing in lamb or mutton at prices above the maximum.* On and after December 23, 1942, regardless of any contract, agreement, or other obligation, no person shall sell or deliver any lamb or mutton carcass or cut, and no person in the course of trade or business shall buy or receive any lamb or mutton carcass or cut at prices higher than the maximum prices established pursuant to this Revised Maximum Price Regulation No. 239, and no person shall agree, offer, solicit, or attempt to do any of the foregoing: *Provided*, That on and after June 14, 1943, a war procurement agency, in addition to paying to the seller the maximum price for the commodity prescribed by the applicable provision of this regulation, may pay to Defense Supplies Corporation an amount equivalent to the meat production payments made by the Defense Supplies Corporation on account of the production of such meat.

2. Section 1364.170 (a) is amended to read as follows:

(a) *Sales by independent wholesalers and independent hotel supply houses.* Any independent wholesaler may add \$.375 per cwt. to the applicable maximum prices on wholesale cuts and carcasses; and any independent hotel supply house may add \$.25 per cwt. on wholesale cuts and carcasses.

3. Section 1364.170 (e) is amended to read as follows:

(e) *Telescoped lambs.* For all supplies and all operations, other than freezing, performed in trimming, preparing and wrapping telescoped style lamb and mutton, the following additions based upon the finished weight may be added to the applicable maximum prices for round-dressed carcasses, plucks out.

Grade:	Addition per cwt.
AA lamb	\$.95
A	.90
B	.85
C	.80
S mutton	.70
M mutton	.65

4. Section 1364.170 (f) (1) is amended to read as follows:

(1) For removing the outer protective membrane and cleaning of all particles and preparing lamb and mutton kidneys, \$.60 per cwt.

5. Section 1364.170 (g) is amended to read as follows:

(g) *Pickled mutton.* For preparing pickled mutton and packaging in hardwood barrels the following addition based upon the finished weight may be added to the applicable maximum prices for

*Copies may be obtained from the Office of Price Administration.

round-dressed carcasses, plucks out, or cuts, \$3.25 per cwt.

6. Section 1364.171 (a) is amended to read as follows:

(a) *Quantity discounts.* For all lamb and mutton sold, delivered or shipped as part of a transaction.

(1) Involving 10,000 pounds or more of meats, edible meat by-products and sausage deduct \$0.625 per cwt.

(2) Involving 2,000 or more, but less than 10,000 pounds of meat, edible meat by-products and sausage deduct .50 per cwt.

(3) Involving 500 pounds or more, but less than 2,000 pounds of meat, edible meat by-products and sausage deduct \$.375 per cwt.

7. Section 1364.171 (b) is revoked.

8. Section 1364.171 (c) is redesignated § 1364.171 (b).

9. Section 1364.176 (a) (10) (xvii) is added to read as follows:

(xvii) "Neckbones" means the neck (cervical) vertebrae with some meat left between the projections on the vertebrae,

but generally well trimmed in accordance with practical operations.

10. Section 1364.176 (b) is amended to read as follows:

(b) The Zone 1 prices for carcasses and wholesale cuts are the prices specified in § 1364.177 (b) plus \$1.50 per cwt.

11. Section 1364.176 (c) is amended to read as follows:

(c) (1) The Zone 1 prices for hotel supply cuts sold to hotels, restaurants and other purveyors of meals are the prices specified in § 1364.177 (c) (1) plus \$1.50 per cwt. subject to the special price instructions in subparagraph (2) of this paragraph.

(2) *Special price instructions.* (i) For hotel supply cuts derived from the foresaddle cuts of kosher lamb or mutton and sold to purveyors of kosher meals, \$0.75 per hundredweight may be added to the Zone 1 prices.

12. Section 1364.177 (b) is amended to read as follows:

(b) The Zone 2, 3 and 4 prices for carcasses and wholesale cuts are as follows:

Item	Lamb				Mutton		
	Grade AA	Grade A	Grade B	Grade C	Grade S	Grade M	Grade R
Carcass:							
Round dressed, pluck out	\$24.50	\$23.00	\$21.00	\$18.75	\$11.75	\$10.50	\$9.25
Round dressed, pluck in	23.50	22.00	20.00	17.75	10.75	9.50	8.25
Hindsaddle or hindquarter	28.25	26.50	24.00	21.25	14.75	13.50	12.25
Foresaddle or forequarter	21.00	19.75	18.25	16.50	9.00	7.75	6.50
Legs or leg	28.50	27.25	25.50	23.00	16.00	14.75	13.50
Loin—single or double	28.75	26.00	21.50	18.00	13.00	11.50	10.00
Hotel rack—single or double	31.75	29.25	25.00	20.75	14.00	12.25	10.50
Yoke—whole or half	18.00	17.50	17.00	15.75	8.00	7.00	6.00
Breast or shank	10.50	10.50	10.50	9.50	6.25	6.00	5.25
Kosher foresaddle or forequarter	21.50	20.25	18.75	17.00	9.50	8.25	7.00
Kosher bracelet, whole or half	25.00	23.75	21.25	18.00	12.25	10.75	8.75
Kosher chuck, whole or half	20.00	19.00	18.25	17.00	8.75	7.75	6.75

Boneless lamb shoulder roll..... \$26.50

Lean boneless lamb..... 29.00

Lean boneless mutton..... 16.50

Regular boneless mutton..... 13.50

Lamb or mutton kidneys, bulk..... 8.50

Lamb or mutton neckbones..... 4.00

13. Section 1364.177 (c) is amended to read as follows:

(c) (1) The Zone 2, 3 and 4 prices for hotel supply cuts sold to hotels, restaurants and other purveyors of meals are as follows:

Item	Lamb				Mutton	
	Grade AA	Grade A	Grade B	Grade C	Grade S	Grade M
Leg—oven prepared	\$39.00	\$37.75	\$35.50	\$32.75	\$22.00	\$20.50
Leg—boned, rolled and tied	42.50	40.75	38.50	35.50	23.75	22.25
Loin—flank on, kidney and suet out	38.75	34.25	27.75	22.75	16.50	14.25
Loin—flank off, kidney and suet out	43.50	38.25	30.25	23.75	17.00	14.75
Loin chops	46.00	40.00	31.75	25.25	17.75	15.25
Loin—boned, rolled and tied	50.50	44.25	35.25	28.25	21.50	18.25
Hotel rack, rib chops—regular	40.25	36.75	31.00	25.50	17.75	15.25
Hotel rack, rib chops 8th. to 12th ribs, inclusive	41.50	37.75	31.75	26.25	18.25	15.50
Hotel rack, rib chops, 6th to 7th ribs, inclusive	35.00	32.25	27.50	22.75	15.50	13.50
Hotel rack, chine removed, blade bone out	41.25	38.50	33.00	27.75	18.00	15.75
Yoke—boned, rolled and tied	21.00	20.50	20.00	18.50	11.25	9.75
Yoke—boneless stew	27.25	26.50	25.50	23.50	11.50	10.00
Shoulder—boned, rolled and tied	33.75	33.00	32.00	30.25	13.00	10.75
Shoulder, regular stew, bone in	26.50	25.75	24.75	23.00	10.25	9.00
Shoulder, boneless stew	34.25	33.00	31.75	29.50	13.00	10.75
Breast and shank, regular stew, bone in	12.25	12.25	12.25	11.00	7.00	7.00
Breast, regular stew, bone in	12.25	12.25	12.25	11.00	7.00	7.00
Shanks for braising or regular stew, bone in	13.25	13.25	13.25	12.00	7.50	7.50

(2) *Special price instruction.* (i) For hotel supply cuts derived from the foresaddle cuts of kosher lamb or mutton and sold to purveyors of kosher meals, \$0.75 per hundredweight may be added to the Zone 2, 3 and 4 prices.

14. Section 1364.178 (b) is amended to read as follows:

(b) The Zone 5 prices for carcasses and wholesale cuts are the prices specified in § 1364.177 (b), plus \$0.50 per hundredweight.

15. Section 1364.178 (c) is amended to read as follows:

(c) (1) The Zone 5 prices for hotel supply cuts sold to hotels, restaurants and other purveyors of meals are the prices specified in § 1364.177 (c) (1), plus \$0.50 per hundredweight, subject to the special price instructions in subparagraph (2) of this paragraph.

(2) *Special price instructions.* (i) For hotel supply cuts derived from the foresaddle cuts of kosher lamb or mutton and sold to purveyors of kosher meals, \$0.75 per hundredweight may be added to the Zone 5 prices.

16. Section 1364.179 (b) is amended to read as follows:

(b) The Zone 6 prices for carcasses and wholesale cuts are the prices specified in § 1364.177 (b) plus \$0.75 per hundredweight.

17. Section 1364.179 (c) is amended to read as follows:

(c) (1) The Zone 6 prices for hotel supply cuts sold to hotels, restaurants and other purveyors of meals are the prices specified in § 1364.177 (c) (1), plus \$0.75 per hundredweight, subject to the special price instructions in subparagraph (2) of this paragraph.

(2) *Special price instructions.* (i) For hotel supply cuts derived from the foresaddle cuts of kosher lamb or mutton and sold to purveyors of kosher meals, \$0.75 per hundredweight may be added to the Zone 6 prices.

18. Section 1364.180 (b) is amended to read as follows:

(b) (1) The Zone 7 prices for carcasses and wholesale cuts are the prices specified in § 1364.177 (b), plus \$1.00 per hundredweight, subject to the special price instructions in subparagraph (2) of this paragraph.

(2) *Special price instructions.* (i) For locally dressed lamb or mutton derived from animals slaughtered in a plant located in Ohio or those portions of Michigan, Pennsylvania, or New York included in this price Zone and delivered within 75 miles of the point of slaughter, \$0.50 per hundredweight may be added to the Zone 7 prices.

(ii) For kosher lamb or mutton derived from animals slaughtered in a plant located in Ohio or those portions of Michigan, Pennsylvania, or New York included in this price Zone and delivered to kosher dealers within 75 miles of the point of slaughter, \$0.50 per hundredweight may be added to the Zone 7 prices for kosher cuts. This is in addition to the charge which may be made for locally dressed lamb or mutton in accordance with special price instruction (i).

19. Section 1364.180 (c) is amended to read as follows:

(c) (1) The Zone 7 prices for hotel supply cuts sold to hotels, restaurants and other purveyors of meals are the prices specified in § 1364.177 (c) (1), plus \$1.00 per hundredweight, subject to the special price instructions in subparagraph (2) of this paragraph.

(2) *Special price instructions.* (i) For hotel supply cuts from the foresaddle cuts of kosher lamb or mutton derived from animals slaughtered in a plant located in Ohio or those portions of Michigan, Pennsylvania, or New York included in this price zone and delivered to purveyors of kosher meals within 75 miles of the point of slaughter, \$1.50 per hundredweight may be added to the Zone 7 maximum prices.

(ii) For kosher hotel supply cuts not meeting the requirements as to location of slaughter plant or distance of delivery from point of slaughter specified in special price instruction (i), but sold to purveyors of kosher meals, \$0.75 per hundredweight may be added to the Zone 7 prices.

20. Section 1364.181 (b) is amended to read as follows:

(b) (1) The Zone 8 prices for carcasses and wholesale cuts are the prices specified in § 1364.177 (b), plus \$1.25 per hundredweight, subject to the special price instructions in subparagraph (2) of this paragraph.

(2) *Special price instructions.* (i) For locally dressed lamb or mutton from animals slaughtered in a plant located within those portions of New York or Pennsylvania included in this price zone and delivered within 75 miles of the point of slaughter, \$0.50 per hundredweight may be added to the Zone 8 prices.

(ii) For kosher lamb or mutton derived from animals slaughtered in a plant located within those portions of New York or Pennsylvania included in this price zone and delivered to kosher dealers within 75 miles of the point of slaughter, \$0.50 per hundredweight may be added to the Zone 8 prices for kosher cuts. This is in addition to the charge which may be made for locally dressed lamb or mutton in accordance with Special price instruction (i).

21. Section 1364.181 (c) is amended to read as follows:

(c) (1) The Zone 8 prices for hotel supply cuts specified in § 1364.177 (c) (1), plus \$1.25 per hundredweight, subject to the special price instructions in subparagraph (2) of this paragraph.

(2) *Special price instructions.* (i) For hotel supply cuts from the foresaddle cuts of kosher lamb or mutton derived from animals slaughtered in a plant located in those portions of New York or Pennsylvania included in this price zone and delivered to purveyors of kosher meals within 75 miles of the point of slaughter, \$1.50 per hundredweight may be added to the Zone 8 prices.

(ii) For kosher hotel supply cuts not meeting the requirements as to location of slaughter plant or distance of delivery from point of slaughter specified in special price instruction (i), but sold to

purveyors of kosher meals, \$0.75 per hundredweight may be added to the Zone 8 prices.

22. Section 1364.182 (b) is amended to read as follows:

(b) (1) The Zone 9 prices for carcasses and wholesale cuts are the prices specified in § 1364.177 (b), plus \$1.50 per hundredweight, subject to the special price instructions in subparagraph (2) of this paragraph.

(2) *Special price instructions.* (i) For locally dressed lamb or mutton from animals slaughtered in a plant located in this price zone north of the Potomac River and delivered within 75 miles of the point of slaughter, \$1.00 per hundredweight may be added to the Zone 9 prices.

(ii) For kosher lamb or mutton derived from animals slaughtered in a plant located in this price zone north of the Potomac River and delivered to kosher dealers within 75 miles of the point of slaughter, \$0.50 per hundredweight may be added to the Zone 9 prices for kosher cuts. This is in addition to the charge which may be made for locally dressed lamb or mutton in accordance with special price instruction (i).

23. Section 1364.182 (c) is amended to read as follows:

(c) (1) The Zone 9 prices for hotel supply cuts sold to hotels, restaurants and other purveyors of meals are the prices specified in § 1364.177 (c) (1) plus \$1.50 per hundredweight, subject to the special price instructions in subparagraph (2) of this paragraph.

(2) *Special price instructions.* (i) For hotel supply cuts from the foresaddle cuts of kosher lamb or mutton derived from animals slaughtered in a plant located in this price zone north of the Potomac River, and delivered to purveyors of kosher meals within 75 miles of the point of slaughter, \$1.50 may be added to the Zone 9 prices.

(ii) For kosher hotel supply cuts not meeting the requirements as to location of slaughter plant or distance of delivery from point of slaughter specified in special price instruction (i), but sold to purveyors of kosher meals, \$0.75 per hundredweight may be added to the Zone 9 prices.

24. Section 1364.183 (b) is amended to read as follows:

(b) The Zone 10 prices for carcasses and wholesale cuts are the prices specified in § 1364.177 (b), plus \$1.75 per hundredweight.

25. Section 1364.183 (c) is amended to read as follows:

(c) (1) The Zone 10 prices for hotel supply cuts sold to hotels, restaurants

and other purveyors of meals are the maximum prices established in § 1364.177 (c) (1) plus \$1.75 per hundredweight, subject to the special price instructions in subparagraph (2) of this paragraph.

(2) *Special price instruction.* (i) For hotel supply cuts derived from the foresaddle cuts of kosher lamb or mutton and sold to purveyors of kosher meals, \$0.75 per hundredweight may be added to the Zone 10 prices.

This amendment shall become effective (1) as to sales of all products, other than pickled mutton, by other than wholesalers, hotel supply houses and peddler truck sellers, on June 14, 1943; (2) as to sales of all products other than pickled mutton, by wholesalers, hotel supply houses and peddler truck sellers, on June 19, 1943; (3) as to sales of pickled mutton by other than wholesalers, hotel supply houses and peddler truck sellers, on June 28, 1943; and (4) as to sales of pickled mutton, by wholesalers, hotel supply houses and peddler truck sellers, on July 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of June 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-9234; Filed, June 8, 1943;
9:27 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH

[MPR 286, Amdt. 3]

CERTAIN SAUSAGE PRODUCTS FOR WAR PRO- CUREMENT AGENCIES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1364.802 (b) is amended to read as follows:

(b) *Base prices.* The prices in column A shall become the base prices effective June 14, 1943 for all sales; the prices in column B shall become the base prices effective June 21, 1943 for sales, by other than wholesalers, and effective June 28, 1943 for sales by wholesalers and shall supersede the prices in column A. A wholesaler is a person who sells other than at retail, and, who does not own or control in whole or substantial part any slaughtering plant or facilities, and who is not owned or controlled, in whole or substantial part, by another person who owns or controls in substantial part any slaughtering plant or facilities.

*Copies may be obtained from the Office of Price Administration.

7 F.R. 10554; 8 F.R. 2157, 2350, 4640.

Product	Prices per hundredweight	
	A	B
Frankfurters, sheep casings.....	\$29.00	\$27.00
Frankfurters, skinless or hog casings.....	26.00	24.00
Bologna, Beef bungs or middles.....	24.00	22.00
Bologna, artificial casings.....	23.25	21.25

This amendment shall become effective June 14, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of June 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-9237; Filed, June 8, 1943;
9:29 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 336, Amdt. 5]

RETAIL CEILING PRICES FOR PORK CUTS AND PROCESSED MEAT PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 336 is amended in the following respects:

1. The title of Maximum Price Regulation No. 336 is amended to read "Retail Ceiling Prices for Pork Cuts and Processed Meat Products" as set forth above.

2. Section 1364.1001 is amended to read as follows:

§ 1364.1001 *Maximum prices for fresh and processed pork cuts and other processed meat products at retail.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders No. 9250 and 9328, Maximum Price Regulation No. 336 (Retail Ceiling Prices for Pork Cuts and Processed Meat Products) which is annexed hereto and made a part hereof, is hereby issued.

3. Article I of the table of contents appearing at the beginning of the regulation is amended to read as follows:

Sec.

1. What this regulation does.
2. Your ceiling prices.
3. When the new ceiling prices take effect.
4. What pork products and processed meat products you may sell.

*Copies may be obtained from the Office of Price Administration.

8 F.R. 2859, 4253, 5317, 5634, 6212.

Sec.

5. Sales to eating places.
6. Post your ceiling prices.
- 6a. What processed meat products must be graded and marked.
7. Records, sales slips and receipts.
8. Licensing and registration.
9. Indirect price increases.
10. Prohibitions and penalties.

4. Article III of the table of contents appearing at the beginning of the regulation is amended to read as follows:

17. Description of pork zones.
- 17a. Description of zones for processed meat products.
18. Map of zones.
19. O. P. A. list of retail ceiling prices for pork cuts.
20. O. P. A. list of retail ceiling prices for processed meat products covered by Maximum Price Regulation No. 336.

5. Sections 1 through 10, inclusive of Maximum Price Regulation No. 336, are amended to read as follows:

SECTION 1 *What this regulation does.* This regulation fixes dollar-and-cents ceiling prices on all retail sales of fresh and processed pork cuts made on and after June 21, 1943, and on all retail sales of the following processed products made on and after June 21, 1943: fresh or smoked sausage, frankfurters, bologna and dried beef. The ceiling prices of all other processed meat products remain as fixed under the General Maximum Price Regulation. The United States is divided into zones by this regulation and different ceiling prices are fixed for sales made in each zone and for sales made by different classes of retail stores. Your ceiling prices depend on the zone where your store is and its class, and on the grade and the casing of the sausage you are selling. A store includes any place where pork cuts or processed meat products subject to this regulation are sold at retail.

SEC. 2 *Your ceiling prices.* (a) You will find your ceiling prices for pork cuts on your "O. P. A. list of retail ceiling prices for pork cuts" (Article III, section 19) and for processed meat products subject to this regulation on your "O. P. A. list of retail ceiling prices for processed meat products covered by Maximum Price Regulation No. 336" (Article III, section 20). A copy of these lists for your zone and class will be attached to this regulation. A complete price list showing prices for both pork and processed meat products may be obtained from your local war price and rationing board or from your district office. (If you are a "Class 3 and 4" store, you should obtain your copy of the complete price list from your regional O. P. A. office.)

(b) *Your zone.* You can find out from your local war price and rationing board

or your local Office of Price Administration office what zone your store is in. The zones are fixed by Article III of this regulation.

(c) *Your class.* Your store is in "Class 1 and 2" if its annual gross sales are less than \$250,000 and if it is not a "chain store." Otherwise it is in "Class 3 and 4".

(d) Your store is a "chain store" if it is one of a group of four or more stores owned by one person which have combined annual gross sales of \$500,000 or more. If you are in doubt whether your store is in "Class 1 and 2", consult the directions given in sections 11, 12 and 13.

SEC. 3 *When the new ceiling prices take effect—(a) Pork cuts.* On June 21, 1943, the dollar-and-cents ceiling prices fixed by this regulation take the place of all previous ceiling prices fixed by the Office of Price Administration upon retail sales of pork cuts. On and after June 21, 1943, you must not sell any pork cuts at a price higher than the ceiling price fixed by this regulation.

(b) *Processed meat products.* On June 21, 1943, the dollar-and-cents ceiling prices fixed by this regulation take the place of all previous ceiling prices fixed by the Office of Price Administration upon retail sales of the following processed meat products: fresh or smoked sausage, frankfurters, bologna and dried beef. On and after June 21, 1943, you must not sell any processed meat product covered by this regulation at a price higher than the ceiling price fixed by this regulation. The ceiling price for sales at retail of all other processed meat products, including all other sausage products, will remain as fixed by the General Maximum Price Regulation.

SEC. 4 *What pork and processed meat products you may sell.* (a) On and after June 21, 1943, the only pork products you may sell are (1) those fresh or frozen and processed pork cuts which are given dollar-and-cents prices under this regulation; (2) the following pork products for which your ceiling prices are to remain as fixed under the General Maximum Price Regulation, namely, canned pork, sausage not covered by this regulation and quick frozen cuts which are sold and delivered to you in the individual packages in which you sell them; and (3) pork variety meats or offal (including temple meat cutlets, brains, chitterlings, liver, plucks, kidneys, tongues, lips, snouts, ears, hearts, cheek and head meat, stomachs, weasand meat and heads) for which your ceiling prices are fixed by Maximum Price Regulation 355.

The pork cuts listed in the O. P. A. list of ceiling prices for pork cuts are

defined in Revised Maximum Price Regulation No. 148—Dressed Hogs and Wholesale Pork Cuts. If the Office of Price Administration allows any person to make a different cut, you will receive notice when you buy that cut of the ceiling price you may charge for it at retail.

(b) On and after June 21, 1943, the only fresh or smoked sausage, frankfurters, bologna and dried beef you may sell are those which are given dollar-and-cents ceiling prices in this regulation. The sausage products listed in this O. P. A. list of ceiling prices for processed meat products covered by Maximum Price Regulation No. 336 are defined in Maximum Price Regulation No. 389—Ceiling Prices for Certain Sausage Items at Wholesale. If you make your own sausage you must comply with the quality and labeling requirements imposed in sections 4 and 13 of that regulation.

You may continue to sell all other sausage products and all processed meat products not covered by this regulation under the ceiling prices fixed by the General Maximum Price Regulation.

SEC. 5 Sales to eating places. Your ceiling prices for sales to hotels, restaurants, institutions and other eating places selling or furnishing meals are the ceiling prices fixed by Revised Maximum Price Regulation No. 148 for pork cuts, by Maximum Price Regulation No. 389, for fresh or smoked sausage, frankfurters and bologna, by Revised Maximum Price Regulation No. 169 for all other sausage containing any beef or veal, and for dried beef and by the General Maximum Price Regulation for all other sausage. Nevertheless, you may, during any month, use the ceiling prices fixed by this regulation in selling to eating places if 80% or more of your total sales of meat during the previous calendar month were retail sales to consumers, that is, to persons who buy the pork cuts or processed meat products to be eaten by themselves or their families.

SEC. 6 Post your ceiling prices. Not later than June 21, 1943, you must post at your store your official O. P. A. list of retail meat prices, showing ceiling prices for pork cuts and processed meat products, including sausage. You may use an exact copy of the O. P. A. list as long as the printing is just as legible and at least as large. Put it on, or at, the counter of the meat department in your store in one or more places where your customers can easily see and read it. You must have at least one list posted for each 20 feet of meat counter space. You must get your official copies of the price lists for posting or copying from your war price and rationing board or from your district O. P. A. office. You may, if you wish, underline on the lists you post, those cuts and processed meat products which you carry. If you display any pork cut, fresh or smoked sausage, frankfurters and bologna, as in your show case you must post on it your selling price for that cut or that sausage. Each grade of sausage and each kind of casing which you have separated in your show case as required by section 6a must

be marked with its grade letter and casing number so that your customers can see and read both letter and number.

SEC. 7 Records, sales slips and receipts. After June 21, 1943, you shall keep the same kind of records you have customarily kept, showing the prices you charge for pork cuts and processed meat products. You shall show the records to any representative of the Office of Price Administration upon request. If you have customarily given a customer a sales slip, receipt or similar evidence of purchase, you shall continue to do so. Furthermore, regardless of your previous custom, you shall, upon request by any customer, give a receipt showing the date, your name and address, the name and weight of each pork cut sold, the name and weight of each processed meat product sold, and, also, the grade and casing number of all fresh or smoked sausage, frankfurters or bologna sold, and the price you received for the pork cut or processed meat product.

SEC. 8 Licensing and registration. The licensing and registration provisions of sections 15 and 16 of the General Maximum Price Regulation shall apply to every person making sales subject to this regulation. Sections 15 and 16 provide, in brief, that a license is required of all persons selling at retail commodities for which maximum prices are established. A license is automatically granted. It is not necessary to apply for the license, but all sellers may later be required to register. The license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. No person whose license is suspended may sell any such commodity during the period of suspension.

SEC. 9 Indirect price increases. The price limitations set forth in this regulation shall not be evaded directly or indirectly by you; and you shall not require the purchaser to buy at any price other food products as a condition of selling pork cuts or processed meat products.

SEC. 10 Prohibitions. On and after April 1, 1943, the date this regulation takes effect, if you sell or deliver any pork cut or processed meat product at a price higher than your ceiling price, or if you otherwise violate any provisions of this regulation, you are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended. Also, any person, who in the course of trade or business, buys from you at a price higher than your ceiling price is subject to the criminal penalties and civil enforcement actions provided for by that Act.

6. Section 6a is added to read as follows:

SEC. 6a Fresh or smoked sausage, frankfurters and bologna must be graded and marked. (a) After June 20, 1943, all fresh or smoked sausage, frankfurters and bologna must be labeled to show the

kind of sausage, the grade in which it belongs, and, whenever the casing affects the price, the type of casing. Sausage belonging to the AA grade shall be labeled "AA"; that of the A grade, "A"; and that of the B grade, "B". The casing shall be designated by numbers. Frankfurters in sheep casings shall be labeled "1", all other frankfurters "2"; bologna in natural casings, "1", in artificial casings, "2"; fresh sausage in sheep casings, "1", in hog casings, "2", and in artificial casings or cloth bags, "3".

A label showing the grade and the casing is required to appear twice on every pound of fresh sausage, other than bulk, frankfurters or smoked sausage and once on each piece of bologna in natural or artificial casings and on each piece of fresh sausage stuffed in cloth bags or other artificial casings. In addition, the label on fresh sausage packed in artificial casings or cloth bags and on bologna shall show the kind of sausage. The kind of sausage, the grade and the casing shall also be stamped or printed upon the carton or other similar immediate container in which the sausage is placed. Enamel display cases or trays are not immediate containers.

You may not have in your store refrigerator or cooler, any fresh or smoked sausage, frankfurters or bologna which have not been properly labeled.

(b) Fresh or smoked sausage, frankfurters or bologna manufactured by a retailer must meet the requirements for one of the three grades described in section 13 of Maximum Price Regulation No. 389—Ceiling Prices for Certain Sausage Items at Wholesale.

(c) The label must be left on the sausage. Sausages which are alike except for the grade or, where the casing affects the price, except for the casing, must not be put together in the show case.

7. The head-note of section 17 is amended to read "Description of pork zones."

8. Section 17a is added to read as follows:

SEC. 17a Description of zones for processed meat products. The zones for the processed meat products covered by this regulation are the same as those for pork except for the following zones which take the place of "Zones 8 and 9—South" and "Zones 8 and 9—North":

Zone 8—North. All that portion of New York west of and including the counties of Oswego, Oneida, Madison, Chenango, and Broome; but excluding the counties of Niagara, Erie, Cattaraugus, and Chautauqua.

The following counties of Pennsylvania: McKean, Potter, Elk, Cameron, Clinton, Jefferson, Clearfield, Center, Indiana, Cambria, Blair, Huntingdon, Somerset, Bedford and Fulton.

The following counties of Maryland: Garrett and Allegany.

Zone 8—South. All that portion of West Virginia east of and including the counties of Monongalia, Marion, Harrison, Lewis, Braxton, Clay, Nicholas, Fayette, Raleigh, Wyoming, and McDowell; but excluding the counties of Berkeley and Jefferson.

All that portion of Virginia west of and including the counties of Highland, Bath,

Alleghany, Craig, Montgomery, Floyd and Carroll.

All that portion of Tennessee east of and including the counties of Claiborne, Union, Anderson, Morgan, Cumberland, Bledsoe, Van Buren, Sequatchie and Hamilton.

All that portion of North Carolina west and southwest of and including the counties of Cherokee, Union, Newberry, Saluda and Edgefield.

All that portion of Georgia west and north-west of and including the counties of Columbia, McDuffie, Warren, Glascock, Washington, Johnson, Laurens, Dodge, Wilcox, Ben Hill, Irwin, Tift, Colquitt, and Thomas.

All that portion of Alabama south of and including the counties of De Kalb, Marshall, Blount, Jefferson, Tuscaloosa and Pickens.

All that portion of Mississippi south of and including the counties of Noxubee, Winston, Leake, Scott, Rankin, Hinds and Warren.

All that portion of Louisiana east of and including the parishes of West Feliciana, Pointe Coupee, Iberville, Assumption and Saint Mary.

All that portion of Florida west of and including the counties of Leon and Wakulla.

Zone 9—North. All that portion of New York east of and including the counties of St. Lawrence, Jefferson, Lewis and Herkimer, and east and southeast of and including the counties of Otsego, Delaware, Sullivan, Orange, Rockland, Westchester, New York, Bronx, Kings, and Richmond.

All that portion of Pennsylvania east of and including the counties of Tioga, Lycoming, Union, Mifflin, Juniata, Perry and Franklin.

All that portion of Maryland east and southeast of and including the counties of

Washington, Frederick, Montgomery, Prince Georges, Charles, and Saint Mary.

The District of Columbia.

Maine, all counties.

New Hampshire, all counties.

Vermont, all counties.

Massachusetts, all counties.

Connecticut, all counties.

Rhode Island, all counties.

New Jersey, all counties.

Delaware, all counties.

Zone 9—South. West Virginia, the following counties: Berkeley and Jefferson.

All that portion of Virginia east of and including the counties of Frederick, Shenandoah, Rockingham, Augusta, Rockbridge, Botecourt, Roanoke, Franklin and Patrick.

All that portion of North Carolina east and southeast of and including the counties of Surry, Yadkin, Iredell, Catawba, Lincoln and Gaston.

All that portion of South Carolina east of and including the counties of York, Chester, Fairfield, Richland, Lexington, Aiken, Barnwell, Allendale, Hampton, Jasper and Beaufort.

All that portion of Georgia east of and including the counties of Richmond, Jefferson, Emanuel, Trautlen, Wheeler, Telfair, Coffee, Berrien, Cook and Brooks.

The following counties of Florida: Jefferson, Madison, Taylor, Hamilton, Suwannee, Lafayette, Dixie, Columbia, Gilchrist, Levy, Baker, Nassau, Duval, Union, Bradford, Clay, St. Johns, Alachua, Putnam, Flagler, Marion, Volusia, Lake, Sumter, Citrus, Hernando and Pasco.

10. Section 19 is amended to read as follows:

SEC. 19 O. P. A. list of retail ceiling prices for pork cuts.

NOTE 1. Deduction for oily pork cuts. The ceiling price for a pork cut which comes from an oily hog carcass is lower than the ceiling price listed below for that pork cut. The ceiling price is one cent a pound lower for all hams, fat back, and dressed hogs from oily hogs. The ceiling price is four cents a pound lower for all shoulders, shoulder cuts, pork loins, bellies, and slab bacon from oily hogs.

NOTE 2. Slices of processed picnics, and processed bone-in hams. Slices from processed picnics and processed bone-in hams shall be center slices only and shall not be more than 33 1/3 % of the weight of the total picnic or bone-in ham.

NOTE 3. Slices of fresh picnics and hams. Slices from fresh picnics and hams shall be center slices only and shall not be more than 20 % of the weight of the total picnic or ham.

NOTE 4. Center cut pork chops. Center cut pork chops shall be not more than 33 1/3 % of the weight of the pork loin.

[Price per pound]

	Zone 1, class 1-2	Zone 2, class 1-2	Zone 3 and 4, class 1-2	Zone 4a, class 1-2	Zone 5, class 1-2	Zone 6 and 7, class 1-2	Zone 8 and 9 north, class 1-2	Zone 8 and 9 south, class 1-2	Zone 10, class 1-2
1A. Smoked ham, whole:	<i>Cents</i>	<i>Cents</i>	<i>Cents</i>	<i>Cents</i>	<i>Cents</i>	<i>Cents</i>	<i>Cents</i>	<i>Cents</i>	<i>Cents</i>
1. Regular bone-in.....	35	35	34	33	33	33	34	34	35
2. Regular boneless.....	39	39	37	36	36	37	37	38	38
3. Regular boneless and fattened.....	46	45	44	43	43	44	44	44	45
4. Skinned bone-in.....	38	38	36	35	36	36	36	37	37
5. Skinned boneless.....	42	41	40	39	39	40	40	41	41
6. Skinless, boneless and fattened.....	49	49	47	46	46	47	47	48	48
1B. Smoked ham, shank end:									
1. Regular bone-in.....	33	33	32	31	31	31	32	32	33
2. Regular boneless.....	39	39	37	36	36	37	37	38	38
3. Regular boneless and fattened.....	46	45	44	43	43	44	44	44	45
4. Skinned bone-in.....	36	35	34	33	33	34	34	35	35
5. Skinned boneless.....	42	41	40	39	39	40	40	41	41
6. Skinless, boneless and fattened.....	49	49	47	46	46	47	47	48	48
1C. Smoked ham, round or butt end:									
1. Regular bone-in.....	35	34	33	32	32	33	33	33	34
2. Regular boneless.....	39	39	37	36	36	37	37	38	38
3. Regular boneless and fattened.....	46	45	44	43	43	44	44	44	45
4. Skinned bone-in.....	37	37	36	35	35	36	36	36	37
5. Skinned boneless.....	42	41	40	39	39	40	40	41	41
6. Skinless, boneless and fattened.....	49	49	47	46	46	47	47	48	48
1D. Smoked ham, slices:									
1. Regular bone-in.....	50	49	48	46	47	47	48	48	49
2. Regular boneless.....	52	52	50	49	49	49	50	50	51
3. Regular boneless and fattened.....	61	61	59	58	58	58	59	59	60
4. Skinned bone-in.....	54	53	52	50	50	51	52	52	53
5. Skinned boneless.....	56	56	54	53	53	53	54	54	55
6. Skinless, boneless and fattened.....	65	65	63	62	62	63	63	64	65

	Zone 1, class 1-2	Zone 2, class 1-2	Zones 3 and 4, class 1-2	Zone 4a, class 1-2	Zone 5, class 1-2	Zones 6 and 7, class 1-2	Zones 8 and 9 north, class 1-2	Zones 8 and 9 south, class 1-2	Zone 10, class 1-2
2A. Ready to eat hams, whole:	<i>Cents</i>	<i>Cents</i>	<i>Cents</i>	<i>Cents</i>	<i>Cents</i>	<i>Cents</i>	<i>Cents</i>	<i>Cents</i>	<i>Cents</i>
1. Regular bone-in.....	39	38	37	36	36	36	37	37	38
2. Regular boneless.....	42	42	41	40	40	40	41	41	42
3. Regular boneless and fatted.....	49	49	48	47	47	47	48	48	49
4. Skinned bone-in.....	42	41	40	39	39	39	40	40	41
5. Skinned boneless.....	46	45	44	43	43	44	44	44	45
6. Skinned, boneless and fatted.....	53	53	52	50	51	51	52	52	52
2B. Ready to eat hams, shank end:									
1. Regular bone-in.....	36	36	35	34	34	34	35	35	36
2. Regular boneless.....	42	42	41	40	40	40	41	41	42
3. Regular boneless and fatted.....	49	49	48	47	47	47	48	48	49
4. Skinned bone-in.....	39	39	38	36	37	37	38	38	38
5. Skinned boneless.....	46	45	44	43	43	44	44	44	45
6. Skinned, boneless and fatted.....	53	53	52	50	51	51	52	52	52
2C. Ready to eat hams, round or butt end:									
1. Regular bone-in.....	38	38	36	35	36	36	36	37	37
2. Regular boneless.....	42	42	41	40	40	40	41	41	42
3. Regular boneless and fatted.....	49	49	48	47	47	47	48	48	49
4. Skinned bone-in.....	41	40	39	38	38	39	39	40	40
5. Skinned boneless.....	46	45	44	43	43	44	44	44	45
6. Skinned, boneless and fatted.....	53	53	52	50	51	51	52	52	52
2D. Ready to eat hams, slices:									
1. Regular bone-in.....	54	54	52	51	51	52	52	53	54
2. Regular boneless.....	57	56	55	54	54	54	55	55	56
3. Regular boneless and fatted.....	66	66	64	63	63	63	64	65	65
4. Skinned bone-in.....	59	58	57	55	55	56	57	57	58
5. Skinned boneless.....	61	61	59	58	58	58	59	59	60
6. Skinned, boneless and fatted.....	71	71	69	68	68	69	69	69	70
3A. Fresh ham, whole:									
1. Regular bone-in.....	34	34	33	31	32	32	34	33	34
2. Regular boneless.....	38	37	36	35	35	36	37	37	38
3. Regular boneless and fatted.....	44	44	42	41	41	42	44	43	44
4. Skinned bone-in.....	37	37	35	34	34	35	37	36	37
5. Skinned boneless.....	41	41	40	38	39	39	41	40	41
6. Skinned, boneless and fatted.....	47	47	46	44	45	45	47	46	47
3B. Fresh ham, shank end:									
1. Regular bone-in.....	34	33	32	31	31	32	33	33	34
2. Regular boneless.....	37	37	35	34	34	35	37	36	37
3. Regular boneless and fatted.....	43	43	41	40	40	41	43	42	43
4. Skinned bone-in.....	36	36	35	33	34	34	36	35	36
5. Skinned boneless.....	40	40	39	38	38	39	40	40	40
6. Skinned, boneless and fatted.....	46	46	45	43	44	44	46	45	46
3C. Fresh ham, round or butt end:									
1. Regular bone-in.....	35	35	33	32	32	33	35	34	35
2. Regular boneless.....	39	38	37	36	36	37	38	38	39
3. Regular boneless and fatted.....	45	45	43	42	42	43	45	44	45
4. Skinned bone-in.....	38	38	36	35	35	36	38	37	38
5. Skinned boneless.....	42	42	41	39	40	40	42	41	42
6. Skinned, boneless and fatted.....	48	48	47	45	46	46	48	47	48
3D. Fresh ham, slices:									
1. Regular bone-in.....	39	38	37	35	36	36	38	37	39
2. Regular boneless.....	42	42	40	39	39	40	42	41	42
3. Regular boneless and fatted.....	49	49	47	46	46	47	49	48	49
4. Skinned bone-in.....	42	41	40	38	39	39	41	40	42
5. Skinned boneless.....	46	46	44	43	43	44	46	45	46
6. Skinned, boneless and fatted.....	53	53	51	50	50	51	53	52	53
4A. Smoked picnics, whole:									
1. Bone-in.....	33	33	32	31	31	31	32	32	33
2. Boneless.....	37	37	36	34	35	35	36	36	36
3. Boneless and fatted.....	44	44	42	41	41	42	42	43	43
4B. Smoked picnics, shank end:									
1. Bone-in.....	31	31	30	29	29	29	30	30	31
2. Boneless.....	35	35	33	32	33	33	33	34	34
3. Boneless and fatted.....	41	41	40	39	39	39	40	40	41
4C. Smoked picnics, round or butt end:									
1. Bone-in.....	33	32	31	30	30	31	31	31	32
2. Boneless.....	36	35	35	34	34	34	35	35	36
3. Boneless and fatted.....	43	43	42	40	41	41	42	42	42
4D. Smoked picnics, slices:									
1. Bone-in.....	47	47	45	43	44	44	45	45	46
2. Boneless.....	52	52	50	49	49	49	50	51	52
3. Boneless and fatted.....	62	62	60	58	59	59	60	60	61
5A. Fresh picnics, whole (fresh, frozen or cured):									
1. Bone-in.....	32	32	30	29	29	30	32	31	32
2. Boneless.....	36	35	34	33	33	34	35	35	36
3. Boneless and fatted.....	42	41	40	39	39	40	41	41	42
5B. Fresh picnics, shank half (fresh, frozen or cured):									
1. Bone-in.....	31	31	30	28	29	29	31	30	31
2. Boneless.....	35	35	33	32	32	33	35	34	35
3. Boneless and fatted.....	41	40	39	38	38	39	40	40	41
5C. Fresh picnics, round half (fresh, frozen or cured):									
1. Bone-in.....	33	32	31	30	30	31	32	32	33
2. Boneless.....	37	36	35	33	34	35	36	36	37
3. Boneless and fatted.....	43	42	41	40	40	41	42	42	43
5D. Fresh picnics, slices (fresh, frozen or cured):									
1. Bone-in.....	36	36	34	33	33	34	36	35	36
2. Boneless.....	40	40	38	37	37	38	40	39	40
3. Boneless and fatted.....	47	46	45	43	44	45	46	46	47
6A. Ready to eat picnics, whole:									
1. Bone-in.....	36	36	35	34	34	34	35	35	36
2. Boneless.....	41	40	39	38	38	39	39	39	40
3. Boneless and fatted.....	48	48	46	45	46	46	47	47	48

	Zone 1, class 1-2	Zone 2, class 1-2	Zones 3 and 4, class 1-2	Zone 4a, class 1-2	Zone 5, class 1-2	Zones 6 and 7, class 1-2	Zones 8 and 9 north, class 1-2	Zones 8 and 9 south, class 1-2	Zone 10, class 1-2
6B. Ready to eat picnics, shank end:	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents
1. Bone-in.....	34	34	33	32	32	32	33	33	34
2. Boneless.....	38	38	37	36	36	36	37	37	38
3. Boneless and fattened.....	45	45	44	43	43	43	44	44	45
6C. Ready to eat picnics, round end:									
1. Bone-in.....	36	36	34	33	33	34	34	35	35
2. Boneless.....	40	40	38	37	38	38	38	39	39
3. Boneless and fattened.....	47	47	46	45	45	45	46	46	47
6D. Ready to eat picnics, slices:									
1. Bone-in.....	52	51	49	48	48	49	49	50	51
2. Boneless.....	57	57	55	54	54	54	55	56	57
3. Boneless and fattened.....	68	67	66	64	64	65	66	66	67
7. Virginia type hams:									
Whole or half.....	62	62	60	59	59	60	60	61	61
Sliced.....	70	70	68	67	67	67	68	68	69
8. Prosciutto hams:									
1. Whole or half.....	53	53	51	50	50	51	51	52	52
2. Sliced bone-in.....	60	59	58	56	57	57	58	58	59
3. Sliced boneless and fattened.....	1.02	1.01	1.00	98	99	99	1.00	1.00	1.01
9A. Bellies or slab bacon, whole or piece:									
1. Fresh with rine.....	28	28	26	25	25	26	28	27	28
2. Fresh derined.....	31	31	29	28	28	29	31	30	31
3. Smoked with rine.....	34	34	33	32	32	32	33	33	34
4. Smoked derined.....	38	38	36	35	35	36	36	37	38
9B. Bellies or slab bacon, store sliced:									
1. Fresh with rine.....	31	31	30	28	28	29	31	30	31
2. Fresh derined.....	35	34	33	31	32	33	34	34	35
3. Smoked with rine.....	39	39	37	36	36	36	37	37	38
4. Smoked derined.....	43	43	41	40	40	40	41	42	42
10A. Boston butts, whole or piece:									
1. Fresh, frozen or cured.....	37	37	36	34	35	35	37	36	37
2. Smoked.....	39	39	38	37	37	37	38	38	39
3. Ready to eat.....	42	41	40	39	39	40	40	41	41
10B. Boston butts, store sliced:									
1. Fresh, frozen or cured.....	42	42	40	39	39	40	42	41	42
2. Smoked.....	44	44	43	41	42	42	43	43	44
3. Ready to eat.....	47	47	45	44	44	45	45	46	46
11. Pork shoulders, fresh, frozen or cured, whole only:									
1. Skinned bone-in.....	35	34	33	32	32	33	34	34	35
2. Skinned boneless.....	38	38	37	35	36	36	38	37	38
3. Skinned boneless and fattened.....	43	42	41	40	40	41	42	42	43
4. Regular.....	32	32	30	29	29	30	32	31	32
5. Rough neck bone-in.....	31	31	30	28	29	29	31	31	31
6. Rough neck boneless.....	32	31	30	29	29	30	31	31	32
12. Pork shoulders smoked, whole only:									
1. Skinned bone-in.....	36	35	34	33	33	34	34	34	35
2. Skinned boneless.....	39	39	38	37	37	37	38	38	39
3. Skinned boneless and fattened.....	45	44	43	42	42	43	43	44	44
4. Regular.....	33	33	32	31	31	31	32	32	33
5. Rough neck bone-in.....	33	32	31	30	31	31	31	31	32
6. Rough neck boneless.....	33	33	31	30	31	31	31	32	32
13. Pork shoulder cooked:									
1. Skinned bone-in.....	39	39	38	36	37	37	38	38	39
2. Skinned boneless.....	43	42	41	40	40	41	41	41	42
14A. Boneless butts (whole or pieces):									
1. Fresh, frozen or cured.....	44	43	42	41	41	42	43	43	44
2. Smoked.....	48	49	47	46	46	47	47	48	48
3. Ready to eat.....	53	53	52	51	51	51	52	52	53
14B. Boneless butts (store sliced):									
1. Fresh, frozen or cured.....	49	49	47	46	46	47	49	48	49
2. Smoked.....	55	55	53	52	52	53	53	54	54
3. Ready to eat.....	60	60	58	57	57	58	58	59	59
15A. Boneless loins (Canadian bacon), whole or piece:									
1. Fresh, frozen or cured.....	49	48	47	46	46	47	48	48	49
2. Smoked.....	50	50	50	50	50	50	50	50	50
3. Ready to eat.....	64	64	62	61	61	62	62	63	63
15B. Boneless loins (Canadian bacon), store sliced:									
1. Fresh, frozen or cured.....	55	54	53	51	52	52	54	53	55
2. Smoked.....	66	66	64	63	63	64	64	65	65
3. Ready to eat.....	72	71	70	68	69	69	70	70	71
16. Briskets (whole):									
1. Fresh or frozen.....	22	21	20	18	19	19	21	20	22
2. Cured.....	28	23	21	20	20	21	21	22	22
3. Smoked.....	29	26	27	26	26	26	27	27	28
17. Fat back (whole or piece):									
1. Fresh, cured or frozen.....	20	20	18	17	17	18	20	19	20
2. Smoked.....	24	23	22	21	21	21	22	22	23
18A. Pork loins (whole):									
1. Fresh or frozen.....	35	35	34	32	33	33	35	34	35
2. Cured.....	36	36	34	33	33	34	34	35	35
3. Smoked.....	42	42	40	39	39	40	40	41	41
18B. Pork loins, rib end:									
1. Fresh or frozen.....	33	32	31	30	30	31	32	32	33
2. Cured.....	35	33	32	30	31	31	32	32	33
3. Smoked.....	39	38	37	36	36	36	37	37	38
18C. Pork loins, loin end:									
1. Fresh or frozen.....	35	35	34	32	33	33	35	34	35
2. Cured.....	36	36	34	33	34	34	34	35	35
3. Smoked.....	42	42	40	39	39	40	40	41	41
18D. Pork loins, center cut:									
1. Fresh or frozen.....	40	39	38	36	37	37	39	39	40
2. Cured.....	40	40	39	37	37	38	39	39	40
3. Smoked.....	47	47	45	44	44	45	45	46	46

	Zone 1, class 1-2	Zone 2, class 1-2	Zones 3 and 4, class 1-2	Zone 4s, class 1-2	Zone 5, class 1-2	Zones 6 and 7, class 1-2	Zones 8 and 9 north, class 1-2	Zones 8 and 9 south, class 1-2	Zone 10, class 1-2
19. Sliced bacon (derined, smoked):	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents
1. Standard grade A	44	43	42	41	41	41	42	42	43
2. Standard grade B	40	39	38	37	37	37	38	38	39
3. Standard grade C	38	38	36	35	35	36	36	37	37
4. Sliced jowl butts	29	28	27	26	26	26	27	27	28
5. Sliced regular plates	28	28	26	25	25	26	26	27	27
6. Bacon end slices	25	25	24	22	23	23	24	24	25
7. Sliced Canadian bacon	70	69	68	67	67	67	68	68	69
20A. Spare ribs:									
1. Fresh or frozen	26	25	24	23	23	24	25	25	26
2. Cured	27	27	25	24	24	25	25	26	26
3. Smoked	35	35	33	32	30	33	33	34	34
20B. Barbecue spare ribs, (brisket boneless):									
1. Fresh or frozen	31	31	29	28	28	29	31	30	31
2. Cured	32	32	31	29	30	30	31	31	32
3. Smoked	39	39	37	36	36	37	37	38	38
4. Barbecued	45	45	43	42	42	43	43	44	44
20C. Hocks:									
1. Fresh or frozen	23	23	21	20	20	21	23	22	23
2. Cured	24	24	23	21	22	22	23	23	24
3. Smoked	28	28	26	25	25	26	26	27	27
20D. Knuckles:									
1. Fresh or frozen	19	18	17	16	16	17	18	18	19
2. Cured	20	20	18	17	17	18	18	19	19
3. Smoked	24	23	22	21	21	21	22	22	23
20E. Pigs feet, long cut:									
1. Fresh or frozen	14	13	12	11	11	12	13	13	14
2. Vinegar pickled	21	21	19	18	18	19	19	20	20
20F. Pigs feet, short cut:									
1. Fresh or frozen	10	10	9	7	8	8	10	9	10
2. Vinegar pickled	17	17	15	14	14	15	16	16	16
20G. Tails:									
1. Fresh or frozen	17	17	16	14	15	15	17	16	17
2. Cured	19	18	17	16	16	16	17	17	18
3. Smoked	22	22	21	19	20	20	21	21	22
20H. Neck bones:									
1. Fresh, frozen or cured	10	10	9	7	8	8	10	9	10
2. Smoked	14	14	12	11	11	12	12	13	13
20I. Bacon skins:									
1. Fresh, frozen or cured	10	10	8	7	7	8	10	9	10
2. Smoked	12	12	11	9	10	10	11	11	12
20J. Blade butts:									
1. Fresh, frozen or cured	29	29	27	26	26	27	29	28	29
2. Smoked	34	33	32	31	31	31	32	32	33
20K. Back bones:									
1. Fresh, frozen or cured	9	9	7	6	6	7	9	8	9
20L. Pork tenderloins:									
1. Fresh, frozen or cured	52	52	50	49	49	50	52	51	52
20M. Pork tenderloin tips:									
1. Fresh, frozen or cured	49	49	47	46	46	47	49	48	49
21. Dry salt bellies:									
1. Fresh, cured or frozen	24	24	23	21	22	22	24	23	24
2. Smoked	28	28	27	25	26	26	27	27	28
22. Plate and jowls, fresh, frozen or cured:									
1. Clear plates	18	18	17	15	16	16	18	17	18
2. Regular plates	20	19	18	17	17	18	19	19	20
3. Jowl butts	18	18	17	15	16	16	18	17	18
4. Square jowl butts	20	20	19	17	18	18	20	19	20
23. Plates and jowls smoked:									
1. Clear plates	22	22	20	19	19	20	21	21	22
2. Regular plates	24	23	22	21	21	22	22	22	23
3. Jowl butts	22	22	20	19	19	20	21	21	22
4. Square jowl butts	26	26	25	23	24	24	25	25	26
24A. Cooked or boiled ham and shoulder, boneless and fattened (whole or piece):									
1. Regular ham	53	52	51	50	50	51	51	52	52
2. Skinless ham	57	56	55	54	54	55	55	56	56
3. Skinless picnic	49	49	47	46	46	47	47	48	48
4. Skinned shoulder	49	49	47	46	46	47	47	48	48
24B. Cooked or boiled ham and shoulder, boneless and fattened (sliced):									
1. Regular ham	75	74	72	71	71	72	72	73	74
2. Skinless ham	80	80	78	76	77	77	78	78	79
3. Skinless picnic	69	69	67	65	66	66	67	67	68
25A. Cooked or boiled and smoked hams, boneless and fattened (whole):									
1. Regular ham	54	54	53	51	52	52	53	53	54
2. Skinless ham	58	58	57	56	56	56	57	57	58
3. Skinless picnic	49	49	48	46	47	47	48	48	49
25B. Cooked and boiled and smoked ham, boneless and fattened (sliced):									
1. Regular ham	77	76	75	73	73	74	75	75	76
2. Skinless ham	82	82	80	79	79	80	80	81	82
3. Skinless picnic	70	69	67	66	66	67	67	68	69
26A. Baked and barbecued ham, boneless and fattened (whole):									
1. Regular ham	58	58	57	55	56	56	57	57	57
2. Skinless ham	62	62	60	59	59	60	61	61	61
3. Skinless picnic	54	53	52	51	51	51	52	52	53
4. Skinned shoulder	53	53	52	50	51	51	52	52	52
26B. Baked and barbecued ham, boneless and fattened (sliced):									
1. Regular ham	82	82	80	78	79	79	80	80	81
2. Skinless ham	87	87	85	84	84	85	86	86	87
3. Skinless picnic	76	75	74	72	72	73	74	74	75
4. Skinned shoulder	75	75	73	71	72	72	73	73	74

	Zone 1, class 1-2	Zone 2, class 1-2	Zones 3 and 4, class 1-2	Zone 4a, class 1-2	Zone 5, class 1-2	Zones 6 and 7, class 1-2	Zones 8 and 9 north, class 1-2	Zones 8 and 9 south, class 1-2	Zone 10, class 1-2
27A. Dried specialties (whole or piece):	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents
1. Virginia bacon.....	47	47	45	44	44	45	45	46	46
2. Virginia sides.....	43	42	41	40	40	40	41	41	42
3. Virginia jowls.....	33	33	31	30	30	31	31	32	32
4. Virginia shoulder.....	52	52	50	49	50	50	50	51	51
5. Capicalli butts.....	63	63	62	60	61	61	62	62	63
27B. Dried specialties (store sliced):									
1. Virginia bacon.....	53	52	51	50	50	50	51	51	52
2. Virginia sides.....	48	48	46	45	45	45	46	47	47
3. Virginia jowls.....	37	37	35	34	34	35	35	36	36
4. Virginia shoulder.....	59	58	57	56	56	56	57	57	58
5. Capicalli butts.....	71	71	69	68	68	69	69	70	71
28. Loin ribs:									
1. Fresh, frozen or cured.....	27	26	25	24	24	25	26	26	27
2. Cured.....	28	28	26	25	25	26	26	27	27
3. Smoked.....	35	34	33	32	32	32	33	33	34
29. Dressed hogs (whole, half or quarter):									
1. Packer style.....	22.00	21.75	20.75	19.75	20.00	20.50	21.75	21.25	22.00
2. Shipper style.....	21.00	20.75	19.75	19.00	19.00	19.50	20.75	20.25	21.00

NOTE 1. *Deduction for oily pork cuts.* The ceiling price for a pork cut which comes from an oily hog carcass is lower than the ceiling price listed below for that pork cut. The ceiling price is one cent a pound lower for all hams, fat back, and dressed hogs from oily hogs. The ceiling prices are four cents a pound lower for all shoulders, shoulder cuts, pork loins, bellies, and slab bacon from oily hogs.

NOTE 2. *Slices of processed picnics and processed bone-in hams.* Slices from processed picnics and processed bone-in hams shall be center slices only and shall not be more than 33 1/3 % of the weight of the total picnic or bone-in ham.

NOTE 3. *Slices of fresh picnics and hams.* Slices from fresh picnics and hams shall be center slices only and shall not be more than 20% of the weight of the total picnic or ham.

NOTE 4. *Center cut pork chops.* Center cut pork chops shall not be more than 33 1/3 % of the weight of the pork loin.

[Price per pound]

	Zone 1, class 3-4	Zone 2, class 3-4	Zones 3 and 4, class 3-4	Zone 4a, class 3-4	Zone 5, class 3-4	Zones 6 and 7, class 3-4	Zones 8 and 9 north, class 3-4	Zones 8 and 9 south, class 3-4	Zone 10, class 3-4
1A. Smoked ham, whole:	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents
1. Regular bone-in.....	34	33	32	31	31	32	32	32	33
2. Regular boneless.....	37	37	36	34	35	35	36	36	37
3. Regular boneless and fattened.....	44	43	42	41	41	42	42	43	43
4. Skinned bone-in.....	36	36	35	34	34	34	35	35	36
5. Skinned boneless.....	40	40	39	37	38	38	39	39	39
6. Skinless, boneless and fattened.....	47	47	45	44	45	45	45	46	46
1B. Smoked ham, shank end:									
1. Regular bone-in.....	32	32	31	30	30	30	31	31	32
2. Regular boneless.....	37	37	36	34	35	35	36	36	37
3. Regular boneless and fattened.....	44	43	42	41	41	42	42	43	43
4. Skinned bone-in.....	35	34	33	32	32	33	33	34	34
5. Skinned boneless.....	41	40	39	38	38	39	39	39	40
6. Skinless, boneless and fattened.....	47	47	45	44	45	45	45	46	46
1C. Smoked ham, round or butt end:									
1. Regular bone-in.....	33	33	32	31	31	31	32	32	32
2. Regular boneless.....	37	37	36	34	35	35	36	36	37
3. Regular boneless and fattened.....	44	43	42	41	41	42	42	43	43
4. Skinned bone-in.....	36	35	34	33	33	34	34	34	35
5. Skinned boneless.....	41	40	39	38	38	39	39	39	40
6. Skinless, boneless and fattened.....	47	47	45	44	45	45	45	46	46
1D. Smoked ham, slices:									
1. Regular bone-in.....	47	47	45	44	44	45	45	46	47
2. Regular boneless.....	50	49	48	47	47	47	48	48	49
3. Regular boneless and fattened.....	58	58	57	56	55	56	57	57	58
4. Skinned bone-in.....	51	51	49	47	48	48	49	49	50
5. Skinned boneless.....	53	53	52	51	50	51	52	52	53
6. Skinless, boneless and fattened.....	63	62	61	60	60	60	61	61	62
2A. Ready to eat hams, whole:									
1. Regular bone-in.....	37	37	35	34	34	35	35	36	36
2. Regular boneless.....	41	40	39	38	38	39	39	39	40
3. Regular boneless and fattened.....	47	47	46	45	45	45	46	46	47
4. Skinned bone-in.....	40	39	38	37	37	38	38	39	39
5. Skinned boneless.....	44	43	42	41	41	42	42	43	43
6. Skinless, boneless and fattened.....	51	51	49	48	49	49	49	50	50
2B. Ready to eat hams, shank end:									
1. Regular bone-in.....	35	35	34	33	33	33	34	34	35
2. Regular boneless.....	41	40	39	38	38	39	39	39	40
3. Regular boneless and fattened.....	47	47	46	45	45	45	46	46	47
4. Skinned bone-in.....	38	38	37	36	36	37	37	37	37
5. Skinned boneless.....	44	43	42	41	41	42	42	43	43
6. Skinless, boneless and fattened.....	51	51	49	48	49	49	49	50	50
2C. Ready to eat hams, round or butt end:									
1. Regular bone-in.....	36	36	35	34	34	34	35	35	36
2. Regular boneless.....	41	40	39	38	38	39	39	39	40
3. Regular boneless and fattened.....	47	47	46	45	45	45	46	46	47
4. Skinned bone-in.....	39	39	38	36	37	37	38	38	38
5. Skinned boneless.....	44	43	42	41	41	42	42	43	43
6. Skinless, boneless and fattened.....	51	51	49	48	49	49	49	50	50

	Zone 1, class 3-4	Zone 2, class 3-4	Zone 3 and 4, class 3-4	Zone 4a, class 3-4	Zone 5, class 3-4	Zone 6 and 7, class 3-4	Zone 8 and 9 north, class 3-4	Zone 8 and 9 south, class 3-4	Zone 10, class 3-4
2D. Ready to eat hams, slice:	<i>Cents</i>	<i>Cents</i>	<i>Cents</i>	<i>Cents</i>	<i>Cents</i>	<i>Cents</i>	<i>Cents</i>	<i>Cents</i>	<i>Cents</i>
1. Regular bone-in.....	52	51	50	48	49	49	50	50	51
2. Regular boneless.....	54	54	52	52	51	52	52	53	53
3. Regular boneless and fattened.....	63	63	62	61	60	61	62	62	63
4. Skinned bone-in.....	56	55	54	52	53	53	54	54	55
5. Skinned boneless.....	58	58	57	56	55	56	57	57	58
6. Skinless, boneless and fattened.....	68	68	66	65	65	65	66	67	67
3A. Fresh ham, whole:									
1. Regular bone-in.....	32	32	31	29	30	30	32	31	32
2. Regular boneless.....	36	35	34	33	33	34	35	35	36
3. Regular boneless and fattened.....	42	41	40	39	39	40	41	41	42
4. Skinned bone-in.....	35	35	33	32	32	33	35	34	35
5. Skinned boneless.....	39	39	37	36	36	37	39	38	39
6. Skinless, boneless and fattened.....	45	44	43	42	42	43	44	44	45
3B. Fresh ham, shank end:									
1. Regular bone-in.....	32	31	30	29	29	30	31	31	32
2. Regular boneless.....	35	34	33	32	32	33	34	34	35
3. Regular boneless and fattened.....	41	40	39	38	38	39	40	40	41
4. Skinned bone-in.....	34	34	32	31	32	32	34	33	34
5. Skinned boneless.....	38	38	37	35	36	36	38	37	38
6. Skinless, boneless and fattened.....	44	43	42	41	41	42	43	43	44
3C. Fresh ham, round or butt end:									
1. Regular bone-in.....	33	33	31	30	30	31	33	32	33
2. Regular boneless.....	37	37	36	34	35	35	37	36	37
3. Regular boneless and fattened.....	43	42	41	40	40	41	42	42	43
4. Skinned bone-in.....	36	35	34	33	33	34	35	35	36
5. Skinned boneless.....	40	40	38	37	37	38	40	39	40
6. Skinless, boneless and fattened.....	46	46	44	43	43	44	45	45	46
3D. Fresh ham, slices:									
1. Regular bone-in.....	37	36	35	33	34	34	36	36	37
2. Regular boneless.....	40	40	38	37	37	38	40	39	40
3. Regular boneless and fattened.....	47	47	45	44	44	45	47	46	47
4. Skinned bone-in.....	40	39	38	36	37	37	39	38	40
5. Skinned boneless.....	44	44	42	41	41	42	44	43	44
6. Skinless, boneless and fattened.....	51	50	49	47	48	49	50	50	51
4A. Smoked picnics, whole:									
1. Bone-in.....	32	31	30	29	29	30	30	30	31
2. Boneless.....	35	35	34	33	33	33	34	34	35
3. Boneless and fattened.....	42	42	41	39	40	40	41	41	41
4B. Smoked picnics, shank end:									
1. Bone-in.....	30	30	29	28	28	29	29	29	30
2. Boneless.....	34	34	32	31	32	32	33	33	33
3. Boneless and fattened.....	40	40	39	38	38	39	39	39	40
4C. Smoked picnics, round or butt end:									
1. Bone-in.....	31	31	30	29	29	29	30	30	30
2. Boneless.....	35	34	33	32	32	33	33	34	34
3. Boneless and fattened.....	41	41	40	39	39	39	40	40	41
4D. Smoked picnics, slices:									
1. Bone-in.....	44	44	42	41	41	42	42	43	44
2. Boneless.....	50	49	48	46	47	47	48	48	49
3. Boneless and fattened.....	59	59	57	55	56	56	57	57	58
5A. Fresh picnics, whole (fresh, frozen or cured):									
1. Bone-in.....	30	30	28	27	28	28	30	29	30
2. Boneless.....	34	33	32	31	31	32	33	33	34
3. Boneless and fattened.....	39	39	38	36	37	37	39	38	39
5B. Fresh picnics, shank half (fresh, frozen or cured):									
1. Bone-in.....	29	29	28	27	27	28	29	28	29
2. Boneless.....	33	32	31	30	30	31	32	32	33
3. Boneless and fattened.....	38	38	37	36	36	37	38	37	38
5C. Fresh, picnics round half (fresh, frozen or cured):									
1. Bone-in.....	31	30	29	28	28	29	30	30	31
2. Boneless.....	34	34	33	31	32	32	34	33	34
3. Boneless and fattened.....	40	40	39	37	38	38	40	39	40
5D. Fresh picnics, slices (fresh, frozen or cured):									
1. Bone-in.....	34	34	32	31	31	32	34	33	34
2. Boneless.....	38	38	36	35	35	36	38	37	38
3. Boneless and fattened.....	45	44	43	41	42	42	44	43	45
6A. Ready to eat picnics, whole:									
1. Bone-in.....	35	35	33	32	32	33	33	34	34
2. Boneless.....	39	39	37	36	37	37	38	38	38
3. Boneless and fattened.....	46	46	45	43	44	44	45	45	45
6B. Ready to eat picnics, shank end:									
1. Bone-in.....	33	33	32	31	31	31	32	32	33
2. Boneless.....	37	37	36	35	35	35	36	36	37
3. Boneless and fattened.....	44	44	43	42	42	42	43	43	43
6C. Ready to eat picnics, round end:									
1. Bone-in.....	34	34	33	32	32	32	33	33	34
2. Boneless.....	38	38	37	36	36	36	37	37	38
3. Boneless and fattened.....	45	45	44	43	43	43	44	44	45
6D. Ready to eat picnics, slices:									
1. Bone-in.....	49	49	47	45	46	46	47	47	48
2. Boneless.....	55	54	53	51	51	52	53	53	54
3. Boneless and fattened.....	65	64	63	61	62	62	63	63	64
7. Virginia type hams:									
1. Whole or half.....	60	60	59	58	58	58	59	59	60
2. Sliced.....	67	67	65	64	65	65	66	66	67
8. Prosciutto hams:									
1. Whole or half.....	51	51	50	48	49	49	50	50	51
2. Sliced bone-in.....	57	57	55	54	54	55	55	56	57
3. Sliced boneless and fattened.....	98	98	96	95	95	96	96	97	97
9A. Bellies or slab bacon, whole or piece:									
1. Fresh with rine.....	27	26	25	24	24	25	26	26	27
2. Fresh derined.....	30	29	28	27	27	28	29	29	30
3. Smoked with rine.....	33	33	32	30	31	31	32	32	32
4. Smoked derined.....	37	36	35	34	34	34	35	36	36

	Zone 1, class 3-4	Zone 2, class 3-4	Zones 3 and 4, class 3-4	Zone 4a, class 3-4	Zone 5, class 3-4	Zones 6 and 7, class 3-4	Zones 8 and 9 north, class 3-4	Zones 8 and 9 south, class 3-4	Zone 10, class 3-4
9B. Bellies or slab bacon, store sliced:	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents
1. Fresh with rine.....	30	29	28	26	27	28	29	29	30
2. Fresh derined.....	33	33	31	30	30	31	33	32	33
3. Smoked with rine.....	37	37	35	34	34	34	35	36	36
4. Smoked derined.....	41	41	39	38	38	38	39	40	40
10A. Boston butts, whole or piece:									
1. Fresh, frozen or cured.....	35	35	34	32	33	33	35	34	35
2. Smoked.....	38	37	36	35	35	36	36	37	37
3. Ready to eat.....	40	40	39	37	38	38	39	39	39
10B. Boston butts, store sliced:									
1. Fresh, frozen or cured.....	40	40	38	37	37	38	40	39	40
2. Smoked.....	43	42	41	40	40	40	41	41	42
3. Ready to eat.....	45	45	44	42	43	43	44	44	44
11. Pork shoulders, fresh, frozen or cured, whole only:									
1. Skinned bone-in.....	33	32	31	30	30	31	32	32	33
2. Skinned boneless.....	36	36	35	33	34	34	36	35	36
3. Skinned boneless and fattened.....	40	40	39	37	38	38	40	39	40
4. Regular.....	30	30	28	27	28	28	30	29	30
5. Rough neck bone-in.....	29	29	28	26	27	28	29	28	29
6. Rough neck boneless.....	30	29	28	27	27	28	29	29	30
12. Pork shoulder smoked, whole only:									
1. Skinned bone-in.....	34	34	32	31	32	32	32	33	33
2. Skinned boneless.....	38	37	36	35	35	36	36	37	37
3. Skinned boneless and fattened.....	43	43	41	40	41	41	41	42	42
4. Regular.....	32	31	30	29	29	30	30	30	31
5. Rough neck bone-in.....	31	31	30	28	29	29	30	30	30
6. Rough neck boneless.....	31	31	30	29	29	29	30	30	31
13. Pork shoulder cooked:									
1. Skinned bone-in.....	37	37	36	35	35	35	36	36	37
2. Skinned boneless.....	41	41	39	38	39	39	39	40	40
14A. Boneless butts (whole or pieces):									
1. Fresh, frozen or cured.....	41	41	40	38	39	39	41	40	41
2. Smoked.....	47	47	45	44	45	45	45	46	46
3. Ready to eat.....	51	51	50	49	49	49	50	50	51
14B. Boneless butts (store sliced):									
1. Fresh, frozen or cured.....	47	46	45	44	44	45	46	46	47
2. Smoked.....	53	53	51	50	50	51	51	52	52
3. Ready to eat.....	58	58	56	55	55	56	56	57	57
15A. Boneless loins (Canadian bacon), whole or piece:									
1. Fresh, frozen or cured.....	47	46	45	44	44	45	46	46	47
2. Smoked.....	57	57	55	54	54	55	55	56	56
3. Ready to eat.....	62	61	60	59	59	60	60	60	61
15B. Boneless loins (Canadian bacon), store sliced:									
1. Fresh, frozen or cured.....	52	52	50	49	49	50	52	51	52
2. Smoked.....	63	63	62	60	61	61	62	62	63
3. Ready to eat.....	69	68	67	66	66	66	67	67	68
16. Briskets (whole):									
1. Fresh or frozen.....	20	20	18	17	17	18	20	19	20
2. Cured.....	21	21	20	18	19	19	20	20	21
3. Smoked.....	27	27	25	24	24	25	25	26	26
17. Fat back (whole or piece):									
1. Fresh, cured or frozen.....	19	18	17	16	16	17	18	18	19
2. Smoked.....	22	22	20	19	19	20	20	21	21
18A. Pork loins (whole):									
1. Fresh or frozen.....	33	33	32	30	31	31	33	32	33
2. Cured.....	34	34	32	31	31	32	32	33	33
3. Smoked.....	40	39	38	37	37	37	38	38	39
18B. Pork loins, rib end:									
1. Fresh or frozen.....	31	30	29	28	28	29	30	30	31
2. Cured.....	31	31	30	29	29	29	30	30	31
3. Smoked.....	37	36	35	34	34	35	35	35	36
18C. Pork loins, loin end:									
1. Fresh or frozen.....	33	33	31	30	30	31	33	32	33
2. Cured.....	34	33	32	31	31	31	32	32	33
3. Smoked.....	39	39	38	37	37	37	38	38	39
18D. Pork loins, center cut:									
1. Fresh or frozen.....	38	37	36	34	35	36	37	37	38
2. Cured.....	38	38	37	35	36	36	37	37	38
3. Smoked.....	45	45	43	42	42	42	43	43	44
19. Sliced bacon (derined, smoked):									
1. Standard grade A.....	42	42	41	39	40	40	41	41	42
2. Standard grade B.....	40	39	38	37	37	38	38	38	39
3. Standard grade C.....	37	36	35	34	34	34	35	35	36
4. Sliced low butts.....	27	27	26	24	25	25	26	26	27
5. Sliced regular plates.....	27	26	25	24	24	24	25	25	26
6. Bacon, end slices.....	24	24	22	21	21	22	22	23	23
7. Sliced Canadian bacon.....	68	68	66	65	65	66	66	67	67
20A. Spare ribs:									
1. Fresh or frozen.....	24	24	22	21	21	22	24	23	24
2. Cured.....	25	25	24	22	23	23	24	24	25
3. Smoked.....	33	33	31	30	30	31	31	32	32
20B. Barbecue spare ribs (brisket boneless):									
1. Fresh or frozen.....	29	29	28	26	27	27	29	28	29
2. Cured.....	30	30	29	28	28	28	29	29	30
3. Smoked.....	37	36	35	34	34	35	35	36	36
4. Barbecued.....	43	43	42	40	41	41	42	42	43
20C. Hocks:									
1. Fresh or frozen.....	21	21	20	19	19	20	21	20	21
2. Cured.....	28	22	21	20	20	20	21	21	22
3. Smoked.....	26	26	25	23	24	24	25	25	26
20D. Knuckles:									
1. Fresh or frozen.....	17	17	16	14	15	15	17	16	17
2. Cured.....	19	18	17	16	16	16	17	17	18
3. Smoked.....	22	22	20	19	20	20	20	21	21

	Zone 1, class 3-4	Zone 2, class 3-4	Zones 3 and 4, class 3-4	Zone 4a, class 3-4	Zone 5, class 3-4	Zones 6 and 7, class 3-4	Zones 8 and 9 north, class 3-4	Zones 8 and 9 south, class 3-4	Zone 10, class 3-4
20E. Pigs feet, long cut:	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents
1. Fresh or frozen	12	12	11	10	10	11	12	12	12
2. Vinegar pickled	20	19	18	17	17	17	18	18	19
20F. Pigs feet, short cut:									
1. Fresh or frozen	9	9	8	6	7	7	9	8	9
2. Vinegar pickled	16	15	14	13	13	13	14	14	15
20G. Tails:									
1. Fresh or frozen	16	16	14	13	13	14	16	15	16
2. Cured	17	17	16	14	15	15	16	16	17
3. Smoked	21	20	19	18	18	19	19	20	20
20H. Neck bones:									
1. Fresh, frozen or cured	9	9	8	6	7	7	9	8	9
2. Smoked	13	12	11	10	10	11	11	12	12
20I. Bacon skins:									
1. Fresh, frozen or cured	9	9	7	6	6	7	9	8	9
2. Smoked	11	11	10	8	9	9	10	10	11
20J. Blade butts:									
1. Fresh, frozen or cured	27	27	26	24	25	25	27	26	27
2. Smoked	32	31	30	29	29	29	30	30	31
20K. Back bones:									
1. Fresh, frozen or cured	8	8	6	5	5	6	8	7	8
20L. Pork tenderloins:									
1. Fresh, frozen or cured	50	50	48	47	47	48	50	49	50
20M. Pork tenderloin tips:									
1. Fresh, frozen or cured	47	47	45	44	44	45	47	46	47
21. Dry salt bellies:									
1. Fresh, frozen or cured	23	22	21	20	20	21	22	22	23
2. Smoked	27	26	25	24	24	24	25	25	26
22. Plate and jowls, fresh, frozen or cured:									
1. Clear plates	17	17	15	14	14	15	17	16	17
2. Regular plates	18	18	17	15	16	16	18	17	18
3. Jowl butts	17	17	15	14	14	15	17	16	17
4. Square jowl butts	19	19	17	16	16	17	19	18	19
23. Plates and jowls smoked:									
1. Clear plates	21	20	19	18	18	18	19	19	20
2. Regular plates	22	22	20	19	19	20	20	21	21
3. Jowl butts	21	20	19	18	18	18	19	19	20
4. Square jowl butt	25	24	23	22	22	22	23	23	24
24A. Cooked or boiled ham and shoulder, boneless and fat- ted (whole or piece):									
1. Regular ham	51	50	49	48	48	49	49	49	50
2. Skinless ham	54	54	53	52	52	52	53	53	54
3. Skinless picnic	47	47	45	44	45	45	45	46	46
4. Skinned shoulder	47	47	45	44	45	45	45	46	46
24B. Cooked or boiled ham and shoulder, boneless and fat- ted (sliced):									
1. Regular ham	71	71	69	68	68	68	69	70	70
2. Skinless ham	76	76	74	73	73	74	74	75	76
3. Skinless picnic	66	66	64	62	63	63	64	64	65
25A. Cooked or boiled and smoked ham, boneless and fat- ted (whole or piece):									
1. Regular ham	52	52	51	49	50	50	51	51	51
2. Skinless ham	56	56	55	53	54	54	55	55	56
3. Skinless picnic	47	47	46	45	45	45	46	46	47
25B. Cooked or boiled and smoked ham, boneless and fat- ted (sliced):									
1. Regular ham	73	73	71	70	70	70	71	72	72
2. Skinless ham	79	79	77	75	76	76	77	77	78
3. Skinless picnic	66	66	64	63	63	64	64	65	66
26A. Baked and barbecued ham, boneless and fat- ted (whole):									
1. Regular ham	56	56	54	53	53	54	54	55	55
2. Skinless ham	60	60	58	57	57	58	58	58	59
3. Skinless picnic	51	51	50	49	49	49	50	50	51
4. Skinned shoulder	51	51	49	48	49	49	49	50	50
26B. Baked and barbecued ham, boneless and fat- ted (sliced):									
1. Regular ham	79	78	77	75	75	76	77	77	78
2. Skinless ham	84	83	82	80	81	81	82	82	83
3. Skinless picnic	72	72	70	69	69	70	70	71	72
4. Skinned shoulder	72	71	70	68	68	69	70	70	71
27A. Dried specialties (whole or piece):									
1. Virginia bacon	46	45	44	43	43	43	44	44	45
2. Virginia sides	41	41	40	38	39	39	40	40	41
3. Virginia jowls	32	32	30	29	29	30	30	31	31
4. Virginia shoulder	51	50	49	48	48	48	49	49	50
5. Capicalli butts	61	61	60	58	59	59	60	60	61
27B. Dried specialties (store sliced):									
1. Virginia bacon	51	50	49	47	48	48	49	49	50
2. Virginia sides	46	45	44	43	43	44	44	45	45
3. Virginia jowls	36	35	34	32	33	33	34	34	35
4. Virginia shoulder	57	56	55	53	54	54	55	55	56
5. Capicalli butts	68	68	67	65	66	66	67	67	68
28. Loin ribs:									
1. Fresh, frozen or cured	25	25	23	22	22	23	25	24	25
2. Cured	26	26	25	23	24	24	25	25	26
3. Smoked	33	32	31	30	30	30	31	31	32
29. Dressed hogs (whole, half or quarter):	Dollars	Dollars	Dollars	Dollars	Dollars	Dollars	Dollars	Dollars	Dollars
1. Rack style	22.00	21.75	20.75	19.75	20.00	20.50	21.75	21.25	22.00
2. Shipper style	21.00	20.75	19.75	19.00	19.00	19.50	20.75	20.25	21.00

11. Section 20 is added to read as follows:

Sec. 20. O. P. A. list of retail ceiling price for processed meat products covered by MPR 336.

[Price per pound]

	Zone 1		Zone 2		Zone 3		Zone 4		Zone 4a		Zone 5		Zone 6		Zone 7		Zone 8		Zone 9		Zone 10	
	Classes		Classes		Classes		Classes		Classes		Classes		Classes		Classes		Classes		Classes		Classes	
	1-2	3-4	1-2	3-4	1-2	3-4	1-2	3-4	1-2	3-4	1-2	3-4	1-2	3-4	1-2	3-4	1-2	3-4	1-2	3-4	1-2	3-4
1. Frankfurters, No. 1 casings:																						
Grade AA.....	\$0.44	\$0.41	\$0.42	\$0.40	\$0.42	\$0.40	\$0.42	\$0.39	\$0.41	\$0.39	\$0.42	\$0.39	\$0.42	\$0.40	\$0.42	\$0.40	\$0.43	\$0.40	\$0.43	\$0.41	\$0.43	\$0.41
Grade A.....	.39	.37	.38	.36	.38	.36	.37	.35	.37	.35	.37	.35	.38	.36	.38	.36	.38	.36	.39	.37	.39	.37
Grade B.....	.35	.33	.33	.32	.33	.31	.33	.31	.32	.30	.33	.31	.33	.31	.33	.32	.34	.32	.34	.32	.35	.33
2. Frankfurters, No. 2 casings:																						
Grade AA.....	.39	.37	.38	.36	.38	.36	.37	.35	.37	.35	.37	.35	.38	.36	.38	.36	.38	.36	.39	.37	.39	.37
Grade A.....	.35	.33	.34	.32	.33	.32	.33	.31	.32	.31	.33	.31	.33	.32	.34	.32	.34	.32	.35	.33	.35	.33
Grade B.....	.31	.29	.29	.28	.29	.27	.29	.27	.28	.26	.29	.27	.29	.27	.29	.28	.30	.28	.30	.28	.30	.29
3. Bologna, No. 1 casing:																						
Grade AA.....	.37	.35	.35	.33	.35	.33	.35	.33	.34	.32	.35	.33	.35	.33	.35	.33	.36	.34	.36	.34	.36	.34
Grade A.....	.32	.31	.31	.29	.31	.29	.30	.29	.30	.28	.30	.29	.31	.29	.31	.29	.31	.30	.32	.30	.32	.30
Grade B.....	.28	.26	.26	.25	.26	.24	.26	.24	.25	.23	.26	.24	.26	.24	.26	.25	.27	.25	.27	.26	.27	.25
4. Bologna, No. 2 casings:																						
Grade AA.....	.36	.34	.34	.32	.34	.32	.33	.32	.33	.31	.33	.32	.34	.32	.34	.32	.35	.33	.35	.33	.35	.33
Grade A.....	.31	.30	.30	.28	.30	.28	.29	.28	.29	.27	.29	.28	.30	.28	.30	.28	.30	.29	.31	.29	.31	.29
Grade B.....	.27	.25	.25	.24	.25	.23	.25	.23	.24	.22	.25	.23	.25	.23	.25	.24	.26	.24	.26	.24	.26	.25
5. Fresh sausage, No. 1 casings:																						
Grade AA.....	.50	.48	.49	.47	.49	.46	.48	.46	.47	.45	.47	.45	.48	.45	.48	.46	.48	.46	.49	.46	.49	.47
Grade A.....	.44	.42	.43	.40	.42	.40	.42	.39	.41	.38	.41	.39	.41	.39	.42	.39	.42	.40	.42	.40	.43	.40
Grade B.....	.36	.34	.34	.32	.34	.32	.33	.31	.32	.30	.32	.31	.33	.31	.33	.31	.33	.32	.34	.32	.34	.32
6. Fresh sausage, No. 2 casings:																						
Grade AA.....	.46	.44	.45	.42	.44	.42	.43	.41	.43	.40	.43	.41	.43	.41	.44	.41	.44	.42	.44	.42	.45	.42
Grade A.....	.40	.38	.38	.36	.38	.36	.37	.35	.36	.34	.37	.35	.37	.35	.37	.35	.38	.36	.38	.36	.38	.36
Grade B.....	.31	.30	.30	.28	.30	.28	.29	.27	.28	.26	.28	.27	.29	.27	.29	.27	.29	.28	.30	.28	.30	.28
7. Fresh sausage, No. 3 casings or cloth bags:																						
Grade AA.....	.44	.42	.43	.40	.42	.40	.42	.39	.41	.38	.41	.39	.41	.39	.42	.39	.42	.40	.42	.40	.43	.40
Grade A.....	.38	.36	.36	.34	.36	.34	.35	.33	.34	.32	.35	.33	.35	.33	.35	.33	.36	.34	.36	.34	.36	.34
Grade B.....	.29	.28	.28	.26	.27	.26	.27	.25	.26	.24	.26	.24	.26	.25	.27	.25	.27	.26	.27	.26	.28	.26
8. Fresh sausage, bulk:																						
Grade AA.....	.41	.39	.40	.38	.39	.37	.39	.37	.38	.36	.38	.36	.38	.36	.39	.37	.39	.37	.39	.37	.40	.38
Grade A.....	.35	.33	.33	.32	.33	.31	.32	.31	.31	.30	.32	.30	.32	.30	.32	.31	.33	.31	.33	.31	.33	.32
Grade B.....	.26	.25	.25	.23	.25	.23	.24	.22	.23	.21	.23	.22	.24	.22	.24	.22	.24	.23	.25	.23	.25	.23
9. Smoked sausage:																						
Grade AA.....	.51	.48	.49	.47	.49	.47	.49	.46	.48	.46	.49	.46	.49	.47	.49	.47	.50	.47	.50	.48	.50	.48
Grade A.....	.47	.45	.45	.43	.45	.43	.45	.42	.44	.42	.45	.42	.45	.43	.45	.43	.46	.44	.46	.44	.47	.44
Grade B.....	.36	.34	.34	.32	.34	.32	.33	.32	.33	.31	.33	.32	.34	.32	.34	.32	.35	.33	.35	.33	.35	.33
10. Dried beef, sliced:																						
Bulk, unpackaged.....	.87	.83	.85	.82	.85	.81	.85	.81	.84	.80	.85	.81	.85	.81	.85	.82	.86	.82	.86	.82	.86	.83
1/4 lb. cellophane.....	.23	.22	.22	.22	.22	.21	.22	.21	.22	.21	.22	.21	.22	.21	.22	.22	.23	.22	.23	.22	.23	.22

This amendment shall become effective (1) as to the processed meat products covered by section 20 and as to fresh and frozen pork cuts on June 21, 1943; and (2) as to all other products subject to this regulation on July 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of June 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-9239; Filed, June 8, 1943;
9:32 a. m.]

PART 1364—FRESH, CURED, AND CANNED MEAT AND FISH

[MPR 394, Amdt. 2]

RETAIL CEILING PRICES FOR KOSHER BEEF, VEAL, LAMB, AND MUTTON CUTS AND ALL VARIETY MEATS AND EDIBLE BY-PRODUCTS

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 394 is amended in the following respects:

1. The title of Maximum Price Regulation No. 394 is amended to read "Retail Ceiling Prices of Kosher Beef, Veal,

Lamb and Mutton Cuts and all Variety Meats and Edible By-Products" as set forth above.

2. Section 1364.15 is amended to read as follows:

§ 1364.15 *Maximum prices for kosher beef, veal, lamb and mutton cuts and all variety meats and edible by-products at retail.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250 and Executive Order No. 9328, Maximum Price Regulation No. 394 (Retail Ceiling Prices for Kosher Beef, Veal, Lamb and Mutton Cuts and all Variety Meats and Edible By-Products), which is annexed hereto and made a part hereof, is hereby issued.

3. The head-note of section 4 in Article I of the Table of Contents is amended to read as follows:

4. What kosher beef, veal, lamb or mutton cuts or variety meats and edible by-products you may sell.

4. The head-note of section 6 of Article I of the Table of Contents is amended to read as follows:

6. Grades and marking.

5. The following section and head-note are added to Article II of the Table of Contents:

22. Office of Price Administration list of ceiling prices for kosher variety meats and edible by-products.

6. Sections 1 through 14, inclusive, are amended to read as follows:

SECTION 1 *What this regulation does.* This regulation fixes dollar-and-cents ceiling prices on all retail sales of kosher beef, veal, lamb and mutton cuts, variety meats and edible by-products made on and after June 21, 1943. You shall not sell any retail kosher beef, veal, lamb or mutton cut, variety meat item, or edible by-product at a price higher than the ceiling price for the corresponding non-kosher retail cut or item, or at the ceiling price fixed in this regulation, unless you maintain a store at or through which you regularly and generally sell kosher meat as such.

Kosher meat means any retail cut, variety meat item, or edible by-product derived from livestock slaughtered, approved and stamped as kosher under rabbinical supervision, and sold after preparation according to Jewish dietary law. The only retail kosher beef, veal, lamb and mutton cuts which may be sold are those described in section 16 of this regulation. The United States is divided into zones. Different ceiling prices depend on the zone where your store is, its class, and the grade of meat you are selling. A store includes any place where kosher beef, veal, lamb and mutton cuts or variety meats and edible by-products are sold at retail.

SEC. 2 *Your ceiling prices.* (a) You will find your ceiling prices for each grade of kosher beef, veal, lamb and mutton

*Copies may be obtained from the Office of Price Administration.

18 F.R. 6364, 6548, 6616, 7200.

cuts on your "O. P. A. List of Retail Ceiling Prices of Kosher Beef, Veal, Lamb and Mutton—Fresh, Frozen, Cured" (Article II, section 19), and for variety meats and edible by-products on your "O. P. A. List of Retail Ceiling Prices for Kosher Variety Meats and Edible By-Products" (Article II, section 22). A copy of the list for each kind of meat, variety meat and edible by-product for your zone may be obtained from your local War Price and Rationing Board or from your district Office of Price Administration office.

(b) *Your zone.* You can find out from your local War Price and Rationing Board or your OPA office what zone your store is in. After each list of prices in section 19, Article II, there is a description of the zone in which that list of prices applies. The zones are the same for variety meats and edible by-products except that Zone 4-A, which is described at the end of Section 22, Article II, is taken out of Zone 4 and made into a separate zone.

SEC. 3 When the new ceiling prices take effect. (a) On June 21, 1943, the dollar-and-cents ceiling prices fixed by this regulation take the place of all previous ceiling prices fixed by the Office of Price Administration upon retail sales of kosher beef, veal, lamb and mutton cuts. On and after June 21, 1943, you must not sell any cut other than described in this regulation and you must not sell such cut at a price higher than the ceiling price fixed for the grade by this regulation.

(b) On June 21, 1943, the dollar-and-cents ceiling prices fixed by this regulation take the place of all previous ceiling prices fixed by the Office of Price Administration upon retail sales of kosher beef, veal, lamb and mutton, variety meats and edible by-products. On and after June 21, 1943, you must not sell any kosher variety meat or edible by-product other than those for which dollar-and-cents prices are fixed by this regulation and which satisfy Jewish dietary law and are clean, sound and free from foreign material, including blood clots, mucus, hair and wool.

SEC. 4 What beef, veal, lamb or mutton cuts or variety meats and edible by-products you may sell. On and after June 21, 1943, the only kosher beef, veal, lamb and mutton items you may sell are (1) those kosher cuts, and items, fresh, frozen or cured, which are described and given dollar-and-cents ceiling prices under this regulation and (2) the following products for which your ceiling prices are to remain as fixed under the General Maximum Price Regulation, namely, sausage, certain processed meat, and canned meat.

SEC. 5 Sales to eating places. Your ceiling prices for sales to hotels, restaurants, institutions, and other eating places selling or furnishing kosher meals are the ceiling prices fixed by Revised Maximum Price Regulation No. 169 for kosher beef and veal, Revised Maximum Price Regulation No. 239, for kosher lamb and mutton, and by Maximum

Price Regulation No. 398 for kosher variety meats and edible by-products. Nevertheless, you may, during any month, use the ceiling prices fixed by this regulation in selling to eating places which serve kosher meals if 80% or more of your total sales of kosher meat during the previous calendar month were retail sales to consumers, that is, to persons who buy the kosher meat to be eaten by themselves or their families off your premises.

SEC. 6 Grades and markings—(a) Kosher beef, veal, lamb and mutton must be graded and grade marked. (1) All wholesale cuts of kosher beef, veal, lamb and mutton must be graded and must have a mark showing the grade on them. The grades, and the mark for each grade are these:

	Grade mark	Grade mark, when graded by an official grader of the U. S. Dept. of Agriculture
Beef, veal and lamb grades:		
Choice.....	AA	U. S. choice or choice.
Good.....	A	U. S. good or good.
Commercial.....	B	U. S. commercial or commercial.
Utility.....	C	U. S. utility or utility.
Cutter and canner.....	D	U. S. cutter or cutter (beef). U. S. cut or cut (veal).
Mutton grades:		
Good.....	S	U. S. choice or choice.
Commercial.....	M	U. S. good or good.
Utility.....	R	U. S. commercial or commercial.
		U. S. utility or utility.
		U. S. cut or cut.

You may not have in your store, refrigerator or cooler, any meat which does not have the grade name or mark stamped on each wholesale cut.

(2) If you slaughter the animal yourself, you must have it graded and marked before you break the carcass. You must follow the rules for grading which are in Revised Maximum Price Regulation No. 169, § 1364.411, for beef and veal, and Revised Maximum Price Regulation No. 239, § 1364.167, for lamb and mutton. These rules may be obtained from your local OPA office.

(3) You must leave the grade mark on retail cuts, and you must not put different grades of meat together in your showcase.

(b) *Kosher variety meats and edible by-products.* You must not put either different types of kosher variety meats or edible by-products, or kosher variety meats or edible by-products coming from different kinds of animals together in your showcase.

SEC. 7 How you make retail cuts. Section 19 of this regulation, describes the different cuts of beef, veal, lamb and mutton which you may sell, and how they are to be cut. If you buy a quarter or combination cut of meat, you must first cut it into the standard OPA kosher wholesale cuts described in section 19 before you make the kosher retail cuts. If you buy live animals and have them slaughtered for you, you must first break the carcass into the standard

wholesale cuts, and the person who slaughters for you must comply with the rules set for custom slaughterers by the wholesale beef and veal regulation, § 1364.401 (c).

SEC. 8 Post your ceiling prices. Not later than June 21, 1943, you must post at your store your "Official O. P. A. List of Retail Kosher Meat Prices." You may use an exact copy of the OPA List as long as the printing is just as legible and at least as large. Put it on or at the counter of the meat department in your store in one or more places where your customers can easily see and read it. You must have at least one list posted for each 20 feet of meat counter space. You must get your official copies of the price list for posting or copying from your War Price and Rationing Board or from your district OPA office. If you display any cut of kosher beef, veal, lamb or mutton, or any variety meat item or edible by-product, as in your show case you must put on it your selling price for that cut. Each grade of meat and each type of variety meat or edible by-products which you have separated in your show case as required by section 6 must be designated by the appropriate official grade so that your customers can see and read it.

SEC. 9 Records, sales slips, and receipts. After May 17, 1943, you shall keep the same kind of records you have customarily kept, showing the prices you charge for kosher beef, veal, lamb and mutton cuts, variety meats and edible by-products. You shall show the records to any representative of the Office of Price Administration upon request. If you have customarily given a customer a sales slip, receipt or similar evidence of purchase, you shall continue to do so. Furthermore, regardless of your previous custom, you shall, upon request by any customer, give a receipt showing the date, your name and address, the name, weight and grade of each kosher cut, variety meat item or edible by-product sold and the price you received for it.

SEC. 10 Licensing and registration. The licensing and registration provisions of sections 15 and 16 of the General Maximum Price Regulation shall apply to every person making sales subject to this regulation. Sections 15 and 16 provide, in brief, that a license is required of all persons selling at retail commodities for which maximum prices are established. A license is automatically granted. It is not necessary to apply for the license, but all sellers may later be required to register. The license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. No person whose license is suspended may sell any such commodity during the period of suspension.

SEC. 11 Indirect price increases. (a) The price limitations set forth in this regulation shall not be evaded directly or indirectly by you; and you shall not require the purchaser to buy at any price other food products as a condition of

selling kosher beef, veal, lamb or mutton cuts, or variety meats or edible by-products.

(b) You must not charge or receive any consideration for or in connection with any service which has not been provided for in this regulation and for which a price has not been fixed.

SEC. 12 *Prohibitions and penalties.* On and after June 21, 1943, the date this regulation takes effect, if you sell or deliver any kosher meat cut, variety meat item or edible by-product specified in this regulation at a price higher than your ceiling price for the grade or type, or if you otherwise violate any provision of this regulation, you are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended. Also, any person, who in the course of trade or business, buys from you at a price higher than your ceiling price for the grade is subject to the criminal penalties and civil enforcement actions provided for by that Act.

SEC. 13 *Transfers of business or stock in trade.* If you acquire in any manner the business, assets or stock in trade of any store subject to this regulation after May 17, 1943, and you carry on the business or continue to deal in kosher beef, veal, lamb or mutton cuts in a store, separate from any other store previously owned or operated by you, then your ceiling prices should be the same as those of the former owner as if no transfer had taken place. You must keep all records sufficient to verify your ceiling prices. The former owner shall either preserve and make available or turn over, to you all records of transactions prior to your acquiring the store which are necessary to enable you to comply with the record provision of this regulation.

SEC. 14 *Retail sales taxes.* Any tax upon, or incident to, a sale at retail of kosher beef, veal, lamb or mutton cuts, variety meats or edible by-products, covered by this regulation which is imposed by any statute of any state or subdivision thereof may be collected by you in addition to the ceiling price, if the statute does not prohibit you from stating and collecting the tax separately from the purchase price.

7. Section 19 is amended to read as follows:

SEC. 19 *Description of zones and Office of Price Administration list of retail ceiling prices for kosher beef, veal, lamb and mutton cuts.*

(a) *Retail ceiling prices for kosher beef, veal, lamb and mutton, fresh and cured, Zone 1 for kosher retailers.*

Cuts of meat	Grades						
	AA or Choice	A or Good	B or Commercial	D or Utility	D ¹		
I. KOSHER BEEF							
Rib:	Cents per pound	Cents per pound	Cents per pound	Cents per pound	Cents per pound		
1. 10" steaks or roast.....	42	40	37	33	29		
2. 7" steaks or roast.....	46	44	41	35	31		
3. Short ribs (flanken).....	25	25	24	24	20		
Chuck:							
4. Blade pot-roast (also called shoulder pot-roast, bone-in; chuck roast, bone-in).....	40	38	35	32	28		
5. Blade steak (bone-in).....	40	38	35	32	28		
6. Boneless chuck.....	51	48	45	40	36		
7. English cut.....	40	38	35	32	28		
8. Arm or chuck pot-roast (bone-in).....	40	38	35	32	28		
9. Arm or chuck steak (bone-in).....	40	38	35	32	28		
10. Boneless neck.....	40	38	35	32	28		
Brisket:							
11. Boneless brisket (also called breast of beef, boneless; breast deckle, boneless).....	42	42	37	37	33		
12. Brisket (bone-in) (also called breast flanken, bone-in).....	38	38	29	29	25		
Plate:							
13. Plate (bone-in) (also called plate flanken or long bone flanken).....	26	26	24	24	20		
14. Boneless plate (also called plate flanken or long bone flanken (boneless)).....	31	31	29	29	25		
Shank:							
15. Shank (bone-in).....	25	25	25	25	21		
16. Shank (boneless).....	34	34	34	34	30		
Ground beef (including skirt steak).....	38	38	38	38	38		
Retail prices of wholesale cuts:							
17. Rib whole.....	30	28	26	23	19		
18. Chuck whole.....	25	24	22	20	16		
19. Brisket whole.....	21	21	19	19	15		
20. Plate whole.....	18	18	17	17	13		
21. Shank whole.....	16	16	16	16	12		
II. KOSHER VEAL							
1. Breast (bone-in).....	26	26	24	22	18		
2. Shoulder (square cut, bone-in).....	35	34	32	29	24		
3. Shoulder chops or roast (bone-in) (also arm and blade).....	48	42	39	36	30		
4. Shoulder clod (boneless) (also square cut shoulder).....	64	63	59	54	44		
5. Shank (bone-in).....	26	26	24	22	18		
6. Shank (boneless).....	37	36	34	31	25		
7. Rib chops or roast.....	48	47	44	40	32		
8. Neck (bone-in).....	26	26	24	22	18		
9. Neck (boneless).....	37	36	34	31	25		
10. Patties (ground veal).....	40	40	40	40	40		
11. Retail prices of wholesale cuts:							
A. Forequarter.....	24	24	22	20	16		
Cuts of meat	Lamb				Mutton		
	Grade AA or Choice	Grade A or Good	Grade B or Commercial	Grade C or Utility	Grade S or Prime, Choice and Good	Grade M or Commercial	Grade R or Utility and Culls
III. KOSHER LAMB AND MUTTON	Cents per pound	Cents per pound	Cents per pound	Cents per pound	Cents per pound	Cents per pound	Cents per pound
1. Rib chops and roast.....	56	53	49	45	26	23	20
2. Yoke rattle, or triangle (bone-in).....	32	32	31	29	16	15	13
3. Breast and shank (bone-in).....	24	23	21	20	12	11	9
4. Square cut chuck (bone-in).....	44	41	38	34	21	18	16
5. Shoulder chops, blade or arm chops.....	49	46	43	39	23	20	18
6. Neck (bone-in).....	28	26	25	23	14	12	11
7. Neck (boneless).....	38	38	38	38	29	29	29
8. Patties (ground meat) (including boneless breast and shank).....	38	38	38	38	29	29	29
9. Retail prices of wholesale cuts:							
A. Forequarters.....	27	25	24	22	13	11	10
B. Braclet whole.....	31	29	26	23	16	14	12
C. Chuck whole.....	25	24	23	22	12	11	10

¹ Beef—D grade is cutters and canners and veal—D grade is culls.

These ceiling prices apply in all kosher retail stores selling these meats at retail located in Zone 1.

Zone 1 includes the following area:

Washington, all counties.
Oregon, all counties.
California, all counties.
Nevada, all counties.

The above prices are subject to the conditions contained in notes 1 to 3, inclusive.

NOTE 1. *Ground meat.* (a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as

defined in section of the kosher beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground

beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2. Cube steak. The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

(b) *Retail ceiling prices for kosher beef, veal, lamb and mutton, fresh and cured, Zone 2 for kosher retailers.*

Cuts of meat	Grades				
	AA or Choice	A or Good	B or Commercial	C or Utility	D ¹
I. KOSHER BEEF					
Rib:	Cents per pound	Cents per pound	Cents per pound	Cents per pound	Cents per pound
1. 10" steaks or roast	41	39	36	32	28
2. 7" steaks or roast	45	43	39	34	30
3. Short ribs (flanken)	24	24	23	23	19
Chuck:					
4. Blade pot-roast (also called shoulder pot-roast, bone-in; chuck roast, bone-in)	39	36	34	30	26
5. Blade steak (bone-in)	39	36	34	30	26
6. Boneless chuck	50	47	44	39	35
7. English cut	39	36	34	30	26
8. Arm or chuck pot-roast (bone-in)	39	36	34	30	26
9. Arm or chuck steak (bone-in)	39	36	34	30	26
10. Boneless neck	39	36	34	30	26
Brisket:					
11. Boneless brisket (also called breast of beef, boneless; breast deckel, boneless)	41	41	35	35	31
12. Brisket (bone-in) (also called breast flanken, bone-in)	32	32	28	28	24
Plate:					
13. Plate (bone-in) (also called plate flanken or long bone flanken) (boneless)	24	24	23	23	19
14. Boneless plate (also called plate flanken or long bone flanken) (boneless)	30	30	28	28	24
Shank:					
15. Shank (bone-in)	24	24	24	24	20
16. Shank (boneless)	32	32	32	32	28
Ground beef (including skirt steak)	37	37	37	37	37
Retail prices of wholesale cuts:					
17. Rib whole	29	27	25	23	19
18. Chuck whole	24	23	21	19	15
19. Brisket whole	20	20	18	18	14
20. Plate whole	17	17	17	17	13
21. Shank whole	15	15	15	15	11
II. KOSHER VEAL					
1. Breast (bone-in)	25	24	22	20	17
2. Shoulder (square cut, bone-in)	34	33	30	28	22
3. Shoulder chops or roast (bone-in) (also arm and blade)	41	40	38	35	28
4. Shoulder clod (boneless) (also square cut shoulder)	63	61	57	53	42
5. Shank (bone-in)	25	24	22	20	17
6. Shank (boneless)	36	35	32	29	23
7. Rib chops or roast	47	46	42	39	31
8. Neck (bone-in)	25	24	22	20	17
9. Neck (boneless)	36	35	32	29	23
10. Patties (ground veal)	38	38	38	38	38
11. Retail prices of wholesale cuts:					
A. Forequarter	23	23	21	19	15

Cuts of meat	Lamb				Mutton		
	Grade AA or Choice	Grade A or Good	Grade B or Commercial	Grade C or Utility	Grade S or Prime, Choice and Good	Grade M or Commercial	Grade R or Utility and Culls
III. KOSHER LAMB AND MUTTON							
	Cents per pound	Cents per pound	Cents per pound	Cents per pound	Cents per pound	Cents per pound	Cents per pound
1. Rib chops and roast	54	51	47	43	24	21	18
2. Yoke rattle or triangle (bone-in)	30	30	29	27	14	13	11
3. Breast and shank (bone-in)	22	21	20	18	10	9	8
4. Square cut chuck (bone-in)	42	39	36	32	19	16	14
5. Shoulder chops, arm or blade chops	47	44	41	37	21	18	16
6. Neck (bone-in)	26	24	23	21	12	10	9
7. Neck (boneless)	36	36	36	36	27	27	27
8. Patties (ground meat) including boneless breast and shank	36	36	36	36	27	27	27
9. Retail prices of wholesale cuts:							
A. Forequarters	25	24	22	20	11	10	9
B. Brisket whole	29	28	25	21	15	13	11
C. Chuck whole	24	22	22	20	11	9	8

¹ Beef—D grade is cutters and canners and veal—D grade is culls.

These ceiling prices apply in all kosher retail stores selling these meats at retail located in Zone 2.

Zone 2 includes the following area:

Idaho, all counties.
Montana, all counties.
Wyoming, all counties.
Utah, all counties.
Arizona, all counties.

The above prices are subject to the conditions contained in notes 1 to 3, inclusive.

NOTE 1. Ground meat. (a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 16 of the kosher beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2. Cube steak. The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3. Yearling lamb. The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

(c) Retail ceiling prices for kosher beef, veal, lamb, and mutton, fresh and cured, Zone 3 for kosher retailers.

Cuts of meat		Grades					
		AA or Choice	A or Good	B or Commercial	C or Utility	D ¹	
I. KOSHER BEEF							
Rib:		Cents per pound	Cents per pound	Cents per pound	Cents per pound	Cents per pound	
1. 10" steak or roast.....		40	38	35	31	27	
2. 7" steaks or roast.....		44	42	38	33	29	
3. Short ribs (flanken).....		23	23	22	22	18	
Chuck:							
4. Blade pot-roast (also called shoulder pot-roast, bone-in; chuck roast, bone-in).....		37	35	33	29	25	
5. Blade steak (bone-in).....		37	35	33	29	25	
6. Boneless chuck.....		48	45	42	37	33	
7. English cut.....		37	35	33	29	25	
8. Arm or chuck pot-roast (bone-in).....		37	35	33	29	25	
9. Arm or chuck steak (bone-in).....		37	35	33	29	25	
10. Boneless neck.....		37	35	33	29	25	
Brisket:							
11. Boneless brisket (also called breast of beef, boneless; breast deckel, boneless).....		39	39	34	34	30	
12. Brisket (bone-in) (also called breast flanken, bone-in).....		30	30	27	27	23	
Plate:							
13. Plate (bone-in) (also called plate flanken or long bone flanken).....		28	23	22	22	18	
14. Boneless plate (also called plate flanken or long bone flanken) (boneless).....		28	28	26	26	22	
Shank:							
15. Shank (bone-in).....		22	22	22	22	18	
16. Shank (boneless).....		30	30	30	30	26	
Ground beef (including skirt steak).....		35	35	35	35	35	
Retail prices of wholesale cuts:							
17. Rib whole.....		28	27	25	22	18	
18. Chuck whole.....		23	22	21	18	14	
19. Brisket whole.....		19	19	17	17	13	
20. Plate whole.....		17	17	16	16	12	
21. Shank whole.....		14	14	14	14	10	
II. KOSHER VEAL							
1. Breast (bone-in).....		24	23	21	19	15	
2. Shoulder (square cut, bone-in).....		32	32	29	26	21	
3. Shoulder chops or roast (bone-in) (also arm and blade).....		40	39	36	33	27	
4. Shoulder clod (boneless) (also square cut shoulder).....		62	60	56	52	41	
5. Shank (bone-in).....		24	23	21	19	15	
6. Shank (boneless).....		34	34	31	28	22	
7. Rib chops or roast.....		46	44	41	37	30	
8. Neck (bone-in).....		24	23	21	19	15	
9. Neck (boneless).....		34	34	31	28	22	
10. Patties (ground veal).....		37	37	37	37	37	
11. Retail prices of wholesale cuts:							
A. Forequarter.....		22	22	20	18	14	
Cuts of meat	Lamb				Mutton		
	Grade AA or Choice	Grade A or Good	Grade B or Commercial	Grade C or Utility	Grade S or Prime, Choice and Good	Grade M or Commercial	Grade R or Utility and Culls
III. KOSHER LAMB AND MUTTON							
	Cents per pound	Cents per pound	Cents per pound	Cents per pound	Cents per pound	Cents per pound	Cents per pound
1. Rib chops and roast.....	54	51	47	43	24	21	18
2. Yoke rattle or triangle (bone-in).....	30	30	29	27	14	13	11
3. Breast and shank (bone-in).....	22	21	20	18	10	9	8
4. Square cut chuck (bone-in).....	42	39	36	32	19	16	14
5. Shoulder chops, blade or arm chops.....	47	44	41	37	21	18	16
6. Neck (bone-in).....	26	24	23	21	12	10	9
7. Neck (boneless).....	36	36	36	36	27	27	27
8. Patties (ground meat) (including boneless breast and shank).....	36	36	36	36	27	27	27
9. Retail prices of wholesale cuts:							
A. Forequarters.....	25	24	22	20	11	10	9
B. Bracelot whole.....	29	28	25	21	15	13	11
C. Chuck whole.....	24	22	22	20	11	9	8

¹ Beef—D grade is cutters and canners and veal—D grade is culls.

These ceiling prices apply in all kosher retail stores selling these meats at retail located in Zone 3.

Zone 3 includes the following area:

Colorado, all counties.

New Mexico, all counties.

The above prices are subject to the conditions contained in notes 1 to 3, inclusive.

NOTE 1. *Ground meat.* (a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 16 of the kosher beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2. *Cube steak.* The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3. *Yearling lamb.* The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

(d) Retail ceiling prices for kosher beef, veal, lamb and mutton, fresh and cured, Zone 4 for kosher retailers.

Cuts of meat		Grades					
		AA or Choice	A or Good	B or Commercial	C or Utility	D ¹	
I. KOSHER BEEF							
Rib:		Cents per pound	Cents per pound	Cents per pound	Cents per pound	Cents per pound	
1. 10' steaks or roast		40	38	35	31	27	
2. 7" steaks or roast		44	42	38	33	29	
3. Short ribs (flanken)		23	23	22	22	18	
Chuck:							
4. Blade pot-roast (also called shoulder pot-roast, bone-in; chuck roast, bone-in)		37	35	33	29	25	
5. Blade steak (bone-in)		37	35	33	29	25	
6. Boneless chuck		48	45	42	37	33	
7. English cut		37	35	33	29	25	
8. Arm or chuck pot-roast (bone-in)		37	35	33	29	25	
9. Arm or chuck steak (bone-in)		37	35	33	29	25	
10. Boneless neck		37	35	33	29	25	
Brisket:							
11. Boneless brisket (also called breast of beef, boneless; breast deckel, boneless)		39	39	34	34	30	
12. Brisket (bone-in) (also called breast flanken, bone-in)		30	30	27	27	23	
Plate:							
13. Plate (bone-in) (also called plate flanken or long bone flanken)		23	23	22	22	18	
14. Boneless plate (also called plate flanken or long bone flanken) (boneless)		28	28	26	26	22	
Shank:							
15. Shank (bone-in)		22	22	22	22	18	
16. Shank (boneless)		30	30	30	30	26	
Ground beef (including skirt steak)		35	35	35	35	35	
Retail prices of wholesale cuts:							
17. Rib whole		28	27	25	22	18	
18. Chuck whole		23	22	21	18	14	
19. Brisket whole		19	19	17	17	13	
20. Plate whole		17	17	16	16	12	
21. Shank whole		14	14	14	14	10	
II. KOSHER VEAL							
1. Breast (bone-in)		23	22	20	18	15	
2. Shoulder (square cut, bone-in)		32	31	28	26	20	
3. Shoulder chops or roast (bone-in) (also arm and blade)		39	38	36	33	26	
4. Shoulder elod (boneless) (also square cut shoulder)		61	59	55	51	40	
5. Shank (bone-in)		23	22	20	18	15	
6. Shank (boneless)		34	33	30	27	21	
7. Rib chops or roast		45	44	40	37	29	
8. Neck (bone-in)		23	22	20	18	15	
9. Neck (boneless)		34	33	30	27	21	
10. Patties (ground veal)		36	36	36	36	36	
11. Retail prices of wholesale cuts:							
A. Forequarter		22	21	19	18	14	
Cuts of meat		Lamb				Mutton	
		Grade AA or Choice	Grade A or Good	Grade B or Commercial	Grade C or Utility	Grade S or Prime, Choice and Good	Grade M or Commercial
III. KOSHER LAMB AND MUTTON		Cents per pound	Cents per pound	Cents per pound	Cents per pound	Cents per pound	Cents per pound
1. Rib chops and roast		54	51	47	43	24	21
2. Yoke rattle or triangle (bone-in)		30	30	29	27	14	13
3. Breast and shank (bone-in)		22	21	20	18	10	9
4. Square cut chuck (bone-in)		42	39	36	32	19	16
5. Shoulder chops, blade or arm chops		47	44	41	37	21	18
6. Neck (bone-in)		26	24	23	21	12	10
7. Neck (boneless)		36	36	36	36	27	27
8. Patties (ground meat) including boneless, breast and shank		36	36	36	36	27	27
9. Retail prices of wholesale cuts:							
A. Forequarters		25	24	22	20	11	10
B. Bracelet whole		29	28	25	21	15	13
C. Chuck whole		24	22	22	20	11	9

¹ Beef—D grade is cutters and canners and veal—D grade is culls.

These ceiling prices apply in all kosher retail stores selling these meats at retail located in Zone 4.

Zone 4 includes the following area:

North Dakota, all counties.
South Dakota, all counties.
Minnesota, all counties.
Nebraska, all counties.
Kansas, all counties.
Oklahoma, all counties.
Texas, all counties.

Wisconsin, all that portion of Wisconsin west of and including the counties of Iron, Price, Taylor, Clark, Jackson, Monroe, Vernon, and Crawford.

Iowa, Iowa except the counties of Dubuque, Jackson, Clinton, Scott, Muscatine, Louisa, Des Moines, and Lee.

Missouri, all that portion of Missouri west of and including the counties of Scotland, Knox, Shelby, Monroe, Audrain, Montgomery, Warren, Franklin, Washington, Saint Francois, Madison, Wayne, and Butler.

The above prices are subject to the conditions contained in notes 1 to 3, inclusive.

NOTE 1. *Ground meat.* (a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 16 of the kosher beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2. *Cube steak.* The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3. *Yearling lamb.* The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

(e) Retail ceiling prices for kosher beef, veal, lamb and mutton, fresh and cured, Zone 5 for kosher retailers.

Cuts of meat		Grades					
		AA or choice	A or good	B or commercial	C or utility	D	
I. KOSHER BEEF							
Rib:		Cents per pound	Cents per pound	Cents per pound	Cents per pound	Cents per pound	
1. 10" steaks or roast		40	38	35	31	27	
2. 7" steaks or roast		44	42	39	34	30	
3. Short ribs (flanken)		24	24	22	22	18	
Chuck:							
4. Blade pot-roast (also called shoulder pot-roast; bone-in; chuck roast bone-in)		38	36	33	30	26	
5. Blade steak (bone-in)		38	36	33	30	26	
6. Boneless chuck		49	46	43	38	34	
7. English cut		38	36	33	30	26	
8. Arm or chuck pot-roast (bone-in)		38	36	33	30	26	
9. Arm or chuck steak (bone-in)		38	36	33	30	26	
10. Boneless neck		38	36	33	30	26	
Brisket:							
11. Boneless brisket (also called breast of beef, boneless; breast deckel, boneless)		40	40	34	34	30	
12. Brisket (bone-in) (also called breast flanken, bone-in)		31	31	27	27	23	
Plate:							
13. Plate (bone-in) (also called plate flanken or long bone flanken)		24	24	22	22	18	
14. Boneless plate (also called plate flanken or long bone flanken; boneless)		29	29	27	27	23	
Shank:							
15. Shank (bone-in)		23	23	23	23	19	
16. Shank (boneless)		31	31	31	31	27	
Ground beef (including skirt steak)		36	36	36	36	36	
Retail prices of wholesale cuts:							
17. Rib whole		28	27	25	22	18	
18. Chuck whole		24	22	21	19	15	
19. Brisket whole		19	19	17	17	13	
20. Plate whole		17	17	16	16	12	
21. Shank whole		15	15	15	15	11	
II. KOSHER VEAL							
1. Breast (bone-in)		23	23	21	19	15	
2. Shoulder (square cut, bone-in)		32	31	29	26	22	
3. Shoulder chops or roast (bone-in) (also arm and blade)		39	38	36	33	29	
4. Shoulder clod (boneless) (also square cut shoulder)		61	60	56	51	41	
5. Shank (bone-in)		23	23	21	19	15	
6. Shank (boneless)		34	33	30	28	22	
7. Rib chops or roast		45	44	40	37	29	
8. Neck (bone-in)		23	23	21	19	15	
9. Neck (boneless)		34	33	30	28	22	
10. Patties (ground veal)		36	36	36	36	36	
11. Retail prices of wholesale cuts:							
A. Forequarter		22	21	20	18	14	
Cuts of meat		Lamb			Mutton		
		Grade AA or Choice	Grade A or Good	Grade B or Commercial	Grade C or Utility	Grade S or Prime Choice and Good	Grade M or Commercial
III. KOSHER LAMB AND MUTTON		Cents per pound	Cents per pound	Cents per pound	Cents per pound	Cents per pound	Cents per pound
1. Rib chops and roast		55	51	48	43	25	22
2. Yoke rattle or triangle (bone-in)		31	30	29	27	15	13
3. Breast and shank (bone-in)		23	21	20	18	10	9
4. Square cut chuck (bone-in)		42	39	36	32	19	17
5. Shoulder chops, blade or arm chops		47	44	41	37	21	19
6. Neck, (bone-in)		26	25	23	21	12	11
7. Neck, (boneless)		36	36	36	36	27	27
8. Patties (ground meat) including boneless breast and shank		36	36	36	36	27	27
9. Retail prices of wholesale cuts:							
A. Forequarters		26	24	22	20	12	10
B. Bracenet whole		30	28	25	22	15	13
C. Chuck whole		24	23	22	20	11	10

¹ Beef—D grade is cutters and canners and veal—D grade is culls.

These ceiling prices apply in all kosher retail stores selling these meats at retail located in Zone 5.

Zone 5 includes the following area:

Michigan, all that portion of Michigan west of and including the counties of Marquette and Menominee.

Wisconsin, all that portion of Wisconsin east of and including the counties of Vilas, Oneida, Lincoln, Marathon, Wood, Juneau, Sauk, Richland, and Grant.

Iowa, the following counties of Iowa: Dubuque, Jackson, Clinton, Scott, Muscatine, Louisa, Des Moines, and Lee.

Illinois, all that portion of Illinois north and west of and including the counties of Vermilion, Champaign, Douglas, Coles, Shelby, Effingham, Fayette, Bond, Madison, St. Clair, and Monroe.

Missouri, the following counties of Missouri: Clark, Lewis, Marion, Ralls, Pike, Lincoln, St. Charles, St. Louis, and Jefferson.

Indiana, the following counties of Indiana: Lake, Newton, Benton, and Warren.

The above prices are subject to the conditions contained in notes 1 to 3, inclusive.

NOTE 1.—Ground meat. (a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 16 of the kosher beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2.—Cube steak. The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3. Yearling lamb. The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

(f) Retail ceiling prices for kosher beef, veal, lamb and mutton, fresh and cured, Zone 6 for kosher retailers.

Cuts of meat	Grades				
	AA or choice	A or good	B or commercial	C or utility	D ¹
I. KOSHER BEEF					
Rib:	Cents per pound	Cents per pound	Cents per pound	Cents per pound	Cents per pound
1. 10" steaks or roast	41	39	36	32	28
2. 7" steaks or roast	45	42	39	34	30
3. Short ribs (flanken)	24	24	22	22	18
Chuck:					
4. Blade pot-roast (also called shoulder pot-roast, bone-in; chuck roast, bone-in)	38	36	34	30	26
5. Blade steak (bone-in)	38	36	34	30	26
6. Boneless chuck	49	46	43	38	34
7. English cut	38	36	34	30	26
8. Arm or chuck pot-roast (bone-in)	38	36	34	30	26
9. Arm or chuck steak (bone-in)	38	36	34	30	26
10. Boneless neck	38	36	34	30	26
Brisket:					
11. Boneless brisket (also called breast of beef, boneless; breast deckel, boneless)	40	40	35	35	31
12. Brisket, (bone-in) (also called breast flanken, bone-in)	31	31	27	27	23
Plate:					
13. Plate (bone-in) (also called plate flanken or long bone flanken)	24	24	22	22	18
14. Boneless plate (also called plate flanken or long bone flanken) (boneless)	30	29	27	27	23
Shank:					
15. Shank (bone-in)	23	23	23	23	19
16. Shank (boneless)	31	31	31	31	27
Ground beef (including skirt steak)	36	36	36	36	36
Retail prices of wholesale cuts:					
17. Rib whole	29	27	25	22	18
18. Chuck whole	24	23	21	19	15
19. Brisket whole	20	20	17	17	13
20. Plate whole	17	17	16	16	12
21. Shank whole	15	15	15	15	11
II. KOSHER VEAL					
1. Breast (bone-in)	24	23	21	19	15
2. Shoulder (square cut, bone-in)	32	32	29	26	21
3. Shoulder chops or roast (bone-in) (also arm and blade)	40	39	36	33	27
4. Shoulder clod (boneless) (also square cut shoulder)	62	60	56	52	41
5. Shank (bone-in)	24	23	21	19	15
6. Shank (boneless)	34	34	31	28	22
7. Rib chops or roast	46	44	41	37	30
8. Neck (bone-in)	24	23	21	19	15
9. Neck (boneless)	34	34	31	28	22
10. Patties (ground veal)	37	37	37	37	37
11. Retail prices of wholesale cuts:					
A. Forequarter	22	22	20	18	14

Cuts of meat	Lamb				Mutton		
	Grade AA or Choice	Grade A or Good	Grade B or Commercial	Grade C or Utility	Grade S or Prime Choice and Good	Grade M or Commercial	Grade R or Utility and Culls
III. KOSHER LAMB AND MUTTON							
	Cents per pound	Cents per pound	Cents per pound	Cents per pound	Cents per pound	Cents per pound	Cents per pound
1. Rib chops and roast	55	52	48	44	26	22	19
2. Yoke, rattle or triangle (bone-in)	31	30	30	28	15	14	12
3. Breast and shank (bone-in)	23	22	20	19	11	10	8
4. Square cut chuck (bone-in)	42	40	37	33	20	17	15
5. Shoulder chops, blade or arm chops	47	45	42	38	22	19	17
6. Neck (bone-in)	27	25	23	21	12	11	10
7. Neck (boneless)	37	37	37	37	28	28	28
8. Patties (ground meat) including boneless breast and shank	37	37	37	37	28	28	28
9. Retail prices of wholesale cuts:							
A. Forequarters	26	24	23	21	12	11	9
B. Bracelot whole	30	28	26	22	15	13	11
C. Chuck whole	24	23	22	21	11	10	9

¹ Beef—D Grade is cutters and canners and Veal—D Grade is culls.

These ceiling prices apply in all kosher retail stores selling these meats at retail located in Zone 6.

Zone 6 includes the following area:

Michigan, the following counties of Michigan: Alger, Delta, Schoolcraft, Luce, Mackinac, Chippewa, and Berrien.

Indiana, all counties except Lake, Newton, Benton, and Warren.

Illinois, all that portion of Illinois east and south of and including the counties of Edgar, Clark, Cumberland, Jasper, Clay, Marion, Clinton, Washington, and Randolph.

Missouri, the following counties of Missouri: Saint Genevieve, Perry, Bollinger, Cape Girardeau, Stoddard, Scott, New Madrid, Mississippi, Dunklin, and Pemiscot.

Kentucky, all that portion of Kentucky west and north of and including the counties of Carroll, Henry, Shelby, Anderson, Washington, Marion, Larue, Hardin, Grayson, Ohio, Muhlenberg, and Todd.

Tennessee, the following counties of Tennessee: Lake, Obion, Weakley, Henry, Stewart, Dyer, Montgomery, Gibson, Crockett, Carroll, Benton and Houston.

Arkansas, all counties.

Louisiana, all that portion of Louisiana west of the Mississippi River from the northeast point of East Carroll Parish to the northeast point of the Pointe Coupee Parish and west of and including the parishes of Avoyelles, Saint Landry, Saint Martin, and Iberia.

The above prices are subject to the conditions contained in notes 1 to 3, inclusive.

NOTE 1. Ground meat. (a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 16 of the kosher beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2. Cube steak. The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3. Yearling lamb. The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

(g) Retail ceiling prices for kosher beef, veal, lamb, and mutton, fresh and cured, Zone 7 for kosher retailers.

Cuts of meat		Grades					
		AA or Choice	A or Good	B or Commercial	C or Utility	D ¹	
I. KOSHER BEEF							
Rib:	Cents per pound	Cents per pound	Cents per pound	Cents per pound	Cents per pound		
1. 10" steak or roast	41	39	36	32	28		
2. 7" steaks or roast	45	43	39	34	30		
3. Short ribs (flanken)	24	24	23	23	19		
Chuck:							
4. Blade pot-roast (also called shoulder pot-roast, bone-in; chuck roast, bone-in)	39	36	34	30	26		
5. Blade steak (bone-in)	39	36	34	30	26		
6. Boneless chuck	50	47	44	39	35		
7. English cut	39	36	34	30	26		
8. Arm or chuck pot-roast (bone-in)	39	36	34	30	26		
9. Arm or chuck steak (bone-in)	39	36	34	30	26		
10. Boneless neck	39	36	34	30	26		
Brisket:							
11. Boneless brisket (also called breast of beef, boneless; breast docket, boneless)	41	41	35	35	31		
12. Brisket (bone-in) (also called breast flanken, bone-in)	32	32	28	28	24		
Plate:							
13. Plate (bone-in) (also called plate flanken or long bone flanken)	24	24	23	23	19		
14. Boneless plate (also called plate flanken or long bone flanken) (boneless)	30	30	28	28	24		
Shank:							
15. Shank (bone-in)	24	24	24	24	20		
16. Shank (boneless)	32	32	32	32	28		
Ground beef (including skirt steak)	37	37	37	37	37		
Retail prices of wholesale cuts:							
17. Rib whole	29	27	25	23	19		
18. Chuck whole	24	23	21	19	15		
19. Brisket whole	20	20	18	18	14		
20. Plate whole	17	17	17	17	13		
21. Shank whole	16	15	15	15	11		
II. KOSHER VEAL							
1. Breast	24	23	22	20	16		
2. Shoulder (square cut, bone-in)	33	32	30	27	22		
3. Shoulder chops or roast (bone-in) (also arm and blade)	40	39	37	34	27		
4. Shoulder clod (boneless) (also square cut shoulder)	62	60	57	52	42		
5. Shank (bone-in)	24	23	22	20	16		
6. Shank (boneless)	35	34	31	28	22		
7. Rib chops or roast	46	45	41	38	30		
8. Neck (bone-in)	24	23	22	20	16		
9. Neck (boneless)	35	34	31	28	22		
10. Patties (ground veal)	37	37	37	37	37		
11. Retail prices of wholesale cuts:							
A. Forequarter	23	22	20	18	15		
Cuts of meat	Lamb				Mutton		
	Grade AA or Choice	Grade A or Good	Grade B or Commercial	Grade C or Utility	Grade S or Prime, Choice and Good	Grade M or Commercial	Grade R or Utility and Culls
III. KOSHER LAMB AND MUTTON							
	Cents per pound	Cents per pound	Cents per pound	Cents per pound	Cents per pound	Cents per pound	Cents per pound
1. Rib chops and roast	55	52	49	44	26	23	19
2. Yoke rattle or triangle (bone-in)	32	31	30	28	16	14	12
3. Breast and shank (bone-in)	23	22	21	19	11	10	9
4. Square cut chuck (bone-in)	43	40	37	33	20	18	15
5. Shoulder chops, blade or arm chops	48	45	42	38	22	20	17
6. Neck (bone-in)	27	26	24	22	13	11	10
7. Neck (boneless)	37	37	37	37	28	28	28
8. Patties (ground meat) including boneless breast and shank	37	37	37	37	28	28	28
9. Retail prices of wholesale cuts:							
A. Forequarters	26	25	23	21	12	11	9
B. Bracelot whole	30	29	26	22	16	14	11
C. Chuck whole	24	23	22	21	11	10	9

¹ Beef—D grade is cutters and canners and veal—D grade is culls.

These ceiling prices apply in all kosher retail stores selling these meats at retail located in Zone 7.

Zone 7 includes the following area: Michigan, the lower peninsula of Michigan except Berrien County, but including the

islands of Michigan lying in Lake Michigan and Lake Huron.

Ohio, all counties.

New York, the following counties of New York: Niagara, Erie, Chautauqua, and Cattaraugus.

Pennsylvania, all that portion of Pennsylvania west of and including the counties of Warren, Forest, Clarion, Armstrong, Westmoreland, and Fayette.

West Virginia, all that portion of West Virginia west of and including the counties of Hancock, Brooke, Ohio, Marshall, Wetzel, Doddridge, Gilmer, Calhoun, Roane, Kanawha, Boone, Logan, and Mingo.

Kentucky, all that portion of Kentucky east of and including the counties of Boone, Gallatin, Owen, Franklin, Woodford, Mercer, Boyle, Casey, Taylor, Green, Hart, Edmonson, Butler, and Logan.

Tennessee, all that portion of Tennessee west of and including the counties of Campbell, Scott, Fentress, Overton, Putnam, White, Warren, Grundy, and Marion; but excluding the counties of Lake, Obion, Weakley, Henry, Stewart, Montgomery, Dyer, Gibson, Crockett, Carroll, Benton, and Houston.

Alabama, all that portion of Alabama north and west of and including the counties of Jackson, Madison, Morgan, Cullman, Walker, Fayette, and Lamar.

Mississippi, all that portion of Mississippi north of and including the counties of Lowndes, Oktibbeha, Choctaw, Attala, Madison, Yazoo, and Issaquena.

The above prices are subject to the conditions contained in notes 1 to 3, inclusive.

NOTE 1. Ground meat. (a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 16 of the kosher beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2. Cube steak. The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3. Yearling lamb. The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

(h) Retail ceiling prices for kosher beef, veal, lamb and mutton, fresh and cured, Zone 8 South for kosher retailers.

Cuts of meat		Grades					
		AA or Choice	A or Good	B or Commercial	C or Utility	D ¹	
I. KOSHER BEEF							
Rib:	Cents per pound	Cents per pound	Cents per pound	Cents per pound	Cents per pound		
1. 10" steaks or roast.....	41	39	36	32		28	
2. 7" steaks or roast.....	46	43	40	35		31	
3. Short ribs (flanken).....	25	25	23	23		19	
Chuck:							
4. Blade pot-roast (also called shoulder pot-roast, bone-in; chuck roast, bone-in).....	39	37	35	31		27	
5. Blade steak (bone-in).....	39	37	35	31		27	
6. Boneless chuck.....	50	47	44	39		35	
7. English cut.....	39	37	35	31		27	
8. Arm or chuck pot-roast (bone-in).....	39	37	35	31		27	
9. Arm or chuck steak (bone-in).....	39	37	35	31		27	
10. Boneless neck.....	39	37	35	31		27	
Brisket:							
11. Boneless brisket (also called breast of beef, boneless; breast deckle, boneless).....	41	41	36	36		32	
12. Brisket (bone-in) (also called breast flanken, bone-in).....	32	32	28	28		24	
Plate:							
13. Plate (bone-in) (also called plate flanken or long bone flanken).....	25	25	23	23		19	
14. Boneless plate (also called plate flanken or long bone flanken) (boneless).....	30	30	28	28		24	
Shank:							
15. Shank (bone-in).....	24	24	24	24		20	
16. Shank (boneless).....	33	33	33	33		29	
Ground beef (including skirt steak).....	37	37	37	37		37	
Retail prices of wholesale cuts:							
17. Rib whole.....	29	28	26	23		19	
18. Chuck whole.....	25	23	22	19		15	
19. Brisket whole.....	20	20	18	18		14	
20. Plate whole.....	18	18	17	17		13	
21. Shank whole.....	15	15	15	15		11	
II. KOSHER VEAL							
1. Breast (bone-in).....	24	24	22	20		16	
2. Shoulder (square cut, bone-in).....	33	32	30	27		22	
3. Shoulder chops or roast (bone-in) (also arm and blade).....	41	40	37	34		28	
4. Shoulder clod (boneless) (also square cut shoulder).....	62	61	57	52		42	
5. Shank (bone-in).....	24	24	22	20		16	
6. Shank (boneless).....	35	34	32	29		23	
7. Rib chops or roast.....	46	45	42	38		30	
8. Neck (bone-in).....	24	24	22	20		16	
9. Neck (boneless).....	35	34	32	29		23	
10. Patties (ground veal).....	38	38	38	38		38	
11. Retail prices of wholesale cuts:							
A. Forequarter.....	23	22	21	19		15	
Cuts of meat		Lamb			Mutton		
		Grade AA or Choice	Grade A or Good	Grade B or Commercial	Grade C or Utility	Grade S or Prime, Choice and Good	Grade M or Commercial
III. KOSHER LAMB AND MUTTON		Cents per pound	Cents per pound	Cents per pound	Cents per pound	Cents per pound	Cents per pound
1. Rib chops and roast.....	56	53	49	45	26	23	20
2. Yoke rattle or triangle (bone-in).....	32	31	30	28	16	14	13
3. Breast and shank (bone-in).....	24	23	21	19	12	10	9
4. Square cut chuck (bone-in).....	43	41	37	34	21	18	15
5. Shoulder chops, blade or arm chops.....	48	46	42	39	23	20	17
6. Neck (bone-in).....	28	26	24	22	13	12	10
7. Neck (boneless).....	38	38	38	38	29	29	29
8. Patties (ground meat) including boneless breast and shank.....	38	38	38	38	29	29	29
9. Retail prices of wholesale cuts:							
A. Forequarters.....	26	25	23	21	13	11	10
B. Bracelot whole.....	30	29	26	22	16	14	12
C. Chuck whole.....	25	24	23	21	12	11	9

¹ Beef—D grade is cutters and canners and veal—D grade is culls.

These ceiling prices apply in all kosher retail stores selling these meats at retail located in Zone 8—South.

Zone 8—South includes the following area:

West Virginia, all that portion of West Virginia east of and including the counties

of Monongalia, Martin, Harrison, Lewis, Braxton, Clay, Nicholas, Fayette, Raleigh, Wyoming, and McDowell; but excluding the counties of Berkeley and Jefferson.

Virginia, all that portion of Virginia west of and including the counties of Highland, Bath, Alleghany, Craig, Montgomery, Floyd, and Carroll.

Tennessee, all that portion of Tennessee east of and including the counties of Claiborne, Union, Anderson, Morgan, Cumberland, Bledsoe, Van Buren, Sequatchie, and Hamilton.

North Carolina, all that portion of North Carolina west and southwest of and including the counties of Alleghany, Wilkes, Alexander, Caldwell, Burke, and Cleveland.

South Carolina, all that portion of South Carolina west and northwest of and including the counties of Cherokee, Union, Newberry, Saluda, and Edgefield.

Georgia, all that portion of Georgia west and northwest of and including the counties of Columbia, McDuffie, Warren, Glascock, Washington, Johnson, Laurens, Dodge, Wilcox, Ben Hill, Irwin, Tift, Colquitt, and Thomas.

Alabama, all that portion of Alabama south of and including the counties of De Kalb, Marshall, Blount, Jefferson, Tuscaloosa, and Pickens.

Mississippi, all that portion of Mississippi south of and including the counties of Noxubee, Winston, Leake, Scott, Rankin, Hinds, and Warren.

Louisiana, all the portion of Louisiana east of and including the parishes of West Feliciana, Pointe Coupee, Iberville, Assumption, and Saint Mary.

Florida, all the portion of Florida west of and including the counties of Leon and Wakulla.

The above prices are subject to the conditions contained in notes 1 to 3, inclusive.

NOTE 1. Ground meat. (a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 16 of the kosher beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2. Cube steak. The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3. Yearling lamb. The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

(1) Retail ceiling prices for kosher beef, veal, lamb and mutton, fresh and cured, Zone 8 North for kosher retailers.

Cuts of meat		Grades					
		AA or choice	A or good	B or commercial	C or utility	D ¹	
I. KOSHER BEEF							
Rib:	Cents per pound	Cents per pound	Cents per pound	Cents per pound	Cents per pound		
1. 10" steaks or roast	41	39	36	32	28		
2. 7" steaks or roast	46	43	40	35	31		
3. Short ribs (flanken)	25	25	23	23	19		
Chuck:							
4. Blade pot-roast (also called shoulder pot-roast, bone-in; chuck roast, bone-in)	39	37	35	31	27		
5. Blade steak (bone-in)	39	37	35	31	27		
6. Boneless chuck	50	47	44	39	35		
7. English cut	39	37	35	31	27		
8. Arm or chuck pot-roast (bone-in)	39	37	35	31	27		
9. Arm or chuck steak (bone-in)	39	37	35	31	27		
10. Boneless neck	39	37	35	31	27		
Brisket:							
11. Boneless brisket (also called breast of beef, boneless; breast deckel, boneless)	41	41	36	36	32		
12. Brisket (bone-in) (also called breast flanken, bone-in)	32	32	28	28	24		
Plate:							
13. Plate (bone-in) (also called plate flanken or long bone flanken)	25	25	23	23	19		
14. Boneless plate (also called plate flanken or long bone flanken) (boneless)	30	30	28	28	24		
Shank:							
15. Shank (bone-in)	24	24	24	24	20		
16. Shank (boneless)	33	33	33	33	29		
Ground beef (including skirt steak)	37	37	37	37	37		
Retail prices of wholesale cuts:							
17. Rib whole	29	28	26	23	19		
18. Chuck whole	25	23	22	19	15		
19. Brisket whole	20	20	18	18	14		
20. Plate whole	18	18	17	17	13		
21. Shank whole	15	15	15	15	11		
II. KOSHER VEAL							
1. Breast (bone-in)	24	24	22	20	16		
2. Shoulder (square cut, bone-in)	33	32	30	27	22		
3. Shoulder chops or roast (bone-in) (also arm and blade)	41	40	37	34	28		
4. Shoulder clod (boneless) (also square cut shoulder)	62	61	57	52	42		
5. Shank (bone-in)	24	24	22	20	16		
6. Shank (boneless)	35	34	32	29	23		
7. Rib chops or roast	46	45	42	38	30		
8. Neck (bone-in)	24	24	22	20	16		
9. Neck (boneless)	35	34	32	29	23		
10. Patties (ground veal)	38	38	38	38	38		
11. Retail prices of wholesale cuts:							
A. Forequarter	23	22	21	19	15		
Cuts of meat	Lamb				Mutton		
	Grade AA or Choice	Grade A or Good	Grade B or Commercial	Grade C or Utility	Grade S or Prime, Choice and Good	Grade M or Commercial	Grade R or Utility and Culls
III. KOSHER LAMB AND MUTTON	Cents per pound	Cents per pound	Cents per pound	Cents per pound	Cents per pound	Cents per pound	Cents per pound
1. Rib chops and roast	56	53	49	45	26	23	20
2. Yoke rattle, or triangle (bone-in)	32	32	31	29	16	15	13
3. Breast and shank (bone-in)	24	23	21	20	12	11	9
4. Square cut chuck (bone-in)	44	41	38	34	21	18	16
5. Shoulder chops, blade or arm chops	40	46	43	39	23	20	18
6. Neck (bone-in)	28	26	25	23	14	12	11
7. Neck (boneless)	38	38	38	38	29	29	29
8. Patties (ground meat) (including boneless breast and shank)	38	38	38	38	29	29	29
9. Retail prices of wholesale cuts:							
A. Forequarters	27	25	24	22	13	11	10
B. Bracelet whole	31	29	26	23	16	14	12
C. Chuck whole	26	24	23	22	12	11	10

¹ Beef—D grade is cutters and canners and veal—D grade is culls.

These ceiling prices apply in all kosher retail stores selling these meats at retail located in Zone 8—North.

Zone 8—North includes the following area: New York, all the portion of New York west of and including the counties of Oswego, Oneida, Madison, Chautauque, and Broome; but excluding the counties of Niagara, Erie, Cattaraugus, and Chautauque.

Pennsylvania, the following counties of Pennsylvania: McKean, Potter, Elk, Cameron, Clinton, Jefferson, Clearfield, Center, Indiana, Cambria, Blair, Huntingdon, Somerset, Bedford, and Fulton.

Maryland, the following counties of Maryland: Garrett and Allegany.

The above prices are subject to the conditions contained in notes 1 to 3, inclusive.

NOTE 1. *Ground meat.* (a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 16 of the kosher beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2. *Cube steak.* The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3. *Yearling lamb.* The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

(j) Retail ceiling prices for kosher beef, veal, lamb, and mutton, fresh and cured, Zone 9 South for kosher retailers.

Cuts of meat	Grades				
	AA or Choice	A or Good	B or Commercial	C or Utility	D ¹
I. KOSHER BEEF					
Rib:					
1. 10" steak or roast.....	42	40	37	33	29
2. 7" steaks or roast.....	46	43	40	35	31
3. Short ribs (flanken).....	25	25	24	24	20
Chuck:					
4. Blade pot-roast (also called shoulder pot-roast, bone-in; chuck roast, bone-in).....	40	37	35	31	27
5. Blade steak (bone-in).....	40	37	35	31	27
6. Boneless chuck.....	51	48	45	40	36
7. English cut.....	40	37	35	31	27
8. Arm or chuck pot-roast (bone-in).....	40	37	35	31	27
9. Arm or chuck steak (bone-in).....	40	37	35	31	27
10. Boneless neck.....	40	37	35	31	27
Brisket:					
11. Boneless brisket (also called breast of beef, boneless; breast deckel, boneless).....	42	42	37	37	33
12. Brisket (bone-in) (also called breast flanken, bone-in).....	33	33	29	29	25
Plate:					
13. Plate (bone-in) (also called plate flanken or long bone flanken).....	25	25	24	24	20
14. Boneless plate (also called plate flanken or long bone flanken) (boneless).....	31	31	29	29	25
Shank:					
15. Shank (bone-in).....	24	24	24	24	20
16. Shank (boneless).....	33	33	33	33	29
Ground beef (including skirt steak).....	38	38	38	38	38
Retail prices of wholesale cuts:					
17. Rib whole.....	29	28	26	23	19
18. Chuck whole.....	25	23	22	20	16
19. Brisket whole.....	21	21	18	18	14
20. Plate whole.....	18	18	17	17	13
21. Shank whole.....	16	16	16	16	12
II. KOSHER VEAL					
1. Breast (bone-in).....	25	24	22	20	17
2. Shoulder (square cut, bone-in).....	34	33	30	28	22
3. Shoulder chops or roast (bone-in) (also arm and blade).....	41	40	38	35	28
4. Shoulder clod (boneless) (also square cut shoulder).....	63	61	57	53	42
5. Shank (bone-in).....	25	24	22	20	17
6. Shank (boneless).....	36	35	32	29	23
7. Rib chops or roast.....	47	46	42	39	31
8. Neck (bone-in).....	25	24	22	20	17
9. Neck (boneless).....	36	35	32	29	23
10. Patties (ground veal).....	38	38	38	38	38
Retail prices of wholesale cuts:					
A. Forequarter.....	23	23	21	19	15

Cuts of meat	Lamb				Mutton		
	Grade AA or Choice	Grade A or Good	Grade B or Commercial	Grade C or Utility	Grade S or Prime, Choice and Good	Grade M or Commercial	Grade R or Utility and Culls
III. KOSHER LAMB AND MUTTON							
1. Rib chops and roast.....	56	53	49	45	26	23	20
2. Yoke rattle, or triangle (bone-in).....	32	32	31	29	16	15	13
3. Breast and shank (bone-in).....	24	23	21	20	12	11	9
4. Square cut chuck (bone-in).....	44	41	38	34	21	18	16
5. Shoulder chops, blade or arm chops.....	49	46	43	39	23	20	18
6. Neck (bone-in).....	28	26	25	23	14	12	11
7. Neck (boneless).....	38	38	38	38	29	29	29
8. Patties (ground meat) (including boneless breast and shank).....	38	38	38	38	29	29	29
9. Retail prices of wholesale cuts:							
A. Forequarters.....	27	25	24	22	13	11	10
B. Bracelet whole.....	31	29	26	23	16	14	12
C. Chuck whole.....	25	24	23	22	12	11	10

¹ Beef—D grade is cutters and canners and veal—D grade is culls.

These ceiling prices apply in all kosher retail stores selling these meats at retail located in Zone 9—South.

Zone 9—South includes the following area:

West Virginia, the following counties: Berkeley and Jefferson.

Virginia, all that portion of Virginia east of and including the counties of Frederick, Shenandoah, Rockingham, Augusta, Rockbridge, Botetourt, Roanoke, Franklin, and Patrick.

North Carolina, all that portion of North Carolina east and southeast of and including the counties of Surry, Yadkin, Iredell, Catawba, Lincoln, and Gaston.

South Carolina, all that portion of South Carolina east of and including the counties of York, Chester, Fairfield, Richland, Lexington, Aiken, Barnwell, Allendale, Hampton, Jasper, and Beaufort.

Georgia, all that portion of Georgia east of and including the counties of Richmond, Jefferson, Emanuel, Treutlen, Wheeler, Telfair, Coffee, Berrien, Cook, and Brooks.

Florida, the following counties of Florida: Jefferson, Madison, Taylor, Hamilton, Suwannee, Lafayette, Dixie, Columbia, Gilchrist, Levy, Baker, Nassau, Duval, Union, Bradford, Clay, St. Johns, Alachua, Putnam, Flagler, Marion, Volusia, Lake, Sumter, Citrus, Hernando, and Pasco.

The above prices are subject to the conditions contained in notes 1 to 3, inclusive.

NOTE 1. *Ground meat.* (a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 16 of the kosher beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2. *Cube steak.* The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3. *Yearling lamb.* The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

(k) Retail ceiling prices for kosher beef, veal, lamb and mutton, fresh and cured, Zone 9 North for kosher retailers.

Cuts of meat	Grades						
	AA or Choice	A or Good	B or Commercial	C or Utility	D 1		
	Cents per pound	Cents per pound	Cents per pound	Cents per pound	Cents per pound		
I. KOSHER BEEF							
Rib:							
1. 10" steak or roast	44	42	39	35	31		
2. 7" steak or roast	48	45	42	37	33		
3. Short ribs (flanken)	27	27	25	25	21		
Chuck:							
4. Blade pot-roast (also called shoulder pot-roast, bone-in; chuck roast, bone-in)	42	39	37	33	29		
5. Blade steak (bone-in)	42	39	37	33	29		
6. Boneless chuck	53	50	47	42	38		
7. English cut	42	39	37	33	29		
8. Arm or chuck pot-roast (bone-in)	42	39	37	33	29		
9. Arm or chuck steak (bone-in)	42	39	37	33	29		
10. Boneless neck	42	39	37	33	29		
Brisket:							
11. Boneless brisket (also called breast of beef, boneless; breast deckle, boneless)	45	45	39	39	35		
12. Brisket (bone-in) (also called breast flanken, bone-in)	35	35	31	31	27		
Plate:							
13. Plate (bone-in) (also called plate flanken or long bone flanken)	27	27	26	26	22		
14. Boneless plate (also called plate flanken or long bone flanken) (boneless)	33	33	31	31	27		
Shank:							
15. Shank (bone-in)	26	26	26	26	22		
16. Shank (boneless)	36	36	36	36	32		
Ground beef (including skirt steak)	41	41	41	41	41		
Retail prices of wholesale cuts:							
17. Rib whole	30	29	27	24	20		
18. Chuck whole	25	24	23	20	16		
19. Brisket whole	21	21	19	19	15		
20. Plate whole	19	19	18	18	14		
21. Shank whole	16	16	16	16	12		
II. KOSHER VEAL							
1. Breast (bone-in)	27	27	25	23	19		
2. Shoulder (square cut, bone-in)	36	35	33	30	25		
3. Shoulder chops or roast (bone-in) (also arm and blade)	43	42	40	37	30		
4. Shoulder clod (boneless) (also square cut shoulder)	65	64	60	55	45		
5. Shank (bone-in)	27	27	25	23	19		
6. Shank (boneless)	38	37	34	32	26		
7. Rib chops or roast	49	48	44	41	33		
8. Neck (bone-in)	27	27	25	23	19		
9. Neck (boneless)	38	37	34	32	26		
10. Patties (ground veal)	40	40	40	40	40		
11. Retail prices of wholesale cuts:							
A. Forequarter	24	23	21	20	16		
Cuts of meat	Lamb				Mutton		
	Grade AA or Choice	Grade A or Good	Grade B or Commercial	Grade C or Utility	Grade S or Prime Choice and Good	Grade M or Commercial	Grade R or Utility and Culls
	Cents per pound	Cents per pound	Cents per pound	Cents per pound	Cents per pound	Cents per pound	Cents per pound
III. KOSHER LAMB AND MUTTON							
1. Rib chops and roast	57	54	50	46	27	24	21
2. Yoke rattle or triangle (bone-in)	33	32	32	30	17	16	14
3. Breast and shank (bone-in)	25	24	22	21	13	12	10
4. Square cut chuck (bone-in)	44	42	39	35	22	19	17
5. Shoulder chops, blade or arm chops	49	47	44	40	24	21	19
6. Neck (bone-in)	29	27	25	23	14	13	12
7. Neck (boneless)	39	39	39	39	30	30	30
8. Patties (ground meat), including boneless breast and shank	39	39	39	39	30	30	30
9. Retail prices of wholesale cuts:							
A. Forequarters	27	26	24	22	14	12	11
B. Bracelet whole	31	30	27	23	17	15	13
C. Chuck whole	26	24	24	22	13	11	10

¹ Beef—D grade is cutters and canners and veal—D grade is culls.

These ceiling prices apply in all kosher retail stores selling these meats at retail located in Zone 9—North.

Zone 9—North includes the following area: New York, all that portion of New York east of and including the counties of St. Lawrence, Jefferson, Lewis, and Herkimer, and east and southeast of and including the counties of Otsego, Delaware, Sullivan, Orange, Rockland, Westchester, New York, Bronx, Kings, and Richmond.

Pennsylvania, all that portion of Pennsylvania east of and including the counties of Tioga, Lycoming, Union, Mifflin, Juniata, Perry, and Franklin.

Maryland, all that portion of Maryland east and southeast of and including the counties of Washington, Frederick, Montgomery, Prince Georges, Charles, and Saint Marys.

The District of Columbia.

Maine, all counties.

New Hampshire, all counties.

Vermont, all counties.

Massachusetts, all counties.

Connecticut, all counties.

Rhode Island, all counties.

New Jersey, all counties.

Delaware, all counties.

The above prices are subject to the conditions contained in notes 1 to 3, inclusive.

NOTE 1. *Ground meat.* (a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 16 of the kosher beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2. *Cube steak.* The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3. *Yearling lamb.* The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

(1) Retail ceiling prices for kosher beef, veal, lamb, and mutton, fresh and cured, Zone 10 for kosher retailers.

Cuts of meat	Grades				
	AA or Choice	A or Good	B or Commercial	C or Utility	D ¹
	Cents per pound	Cents per pound	Cents per pound	Cents per pound	Cents per pound
I. KOSHER BEEF					
Rib:					
1. 10" steak or roast	42	40	37	33	29
2. 7" steaks or roast	46	44	41	36	31
3. Short ribs (flanken)	25	25	24	24	20
Chuck:					
4. Blade pot-roast (also called shoulder pot-roast, bone-in; chuck roast, bone-in)	40	38	35	32	28
5. Blade steak (bone-in)	40	38	35	32	28
6. Boneless chuck	51	48	45	40	36
7. English cut	40	38	35	32	28
8. Arm or chuck pot-roast (bone-in)	40	38	35	32	28
9. Arm or chuck steak (bone-in)	40	38	35	32	28
10. Boneless neck	40	38	35	32	28
Brisket:					
11. Boneless brisket (also called breast of beef, boneless; breast deckel, boneless)	42	42	37	37	33
12. Brisket (bone-in) (also called breast flanken, bone-in)	33	33	29	29	25
Plate:					
13. Plate (bone-in) (also called plate flanken or long bone flanken)	26	26	24	24	20
14. Boneless plate (also called plate flanken or long bone flanken) (boneless)	31	31	29	29	25
Shank:					
15. Shank (bone-in)	25	25	25	25	21
16. Shank (boneless)	34	34	34	34	30
Ground beef (including skirt steak)	38	38	38	38	38
Retail prices of wholesale cuts:					
17. Rib whole	30	28	26	23	19
18. Chuck whole	25	24	22	20	16
19. Brisket whole	21	21	19	19	15
20. Plate whole	18	18	17	17	13
21. Shank whole	16	16	16	16	12
II. KOSHER VEAL					
1. Breast (bone-in)	25	25	23	21	17
2. Shoulder (square cut, bone-in)	34	33	31	28	23
3. Shoulder chops or roast (bone-in) (also arm and blade)	41	40	38	35	28
4. Shoulder clod (boneless) (also square cut shoulder)	63	62	58	53	43
5. Shank (bone-in)	25	25	23	21	17
6. Shank (boneless)	36	35	32	30	24
7. Rib chops or roast	47	46	42	39	31
8. Neck (bone-in)	25	25	23	21	17
9. Neck (boneless)	36	35	32	30	24
10. Patties (ground veal)	38	38	38	38	38
11. Retail prices of wholesale cuts:					
A. Forequarter	23	23	21	19	16

Cuts of meat	Lamb				Mutton		
	Grade AA or Choice	Grade A or Good	Grade B or Commercial	Grade C or Utility	Grade S or Prime Choice and Good	Grade M or Commercial	Grade R or Utility and Culls
	Cents per pound	Cents per pound	Cents per pound	Cents per pound	Cents per pound	Cents per pound	Cents per pound
III. KOSHER LAMB AND MUTTON							
1. Rib chops and roast	57	53	50	45	27	24	21
2. Yoke rattle or triangle (bone-in)	33	32	31	29	17	15	14
3. Breast and shank (bone-in)	25	23	22	20	12	11	10
4. Square cut chuck (bone-in)	44	41	38	34	21	19	16
5. Shoulder chops, blade or arm chops	49	46	43	39	23	21	18
6. Neck (bone-in)	28	27	25	23	14	13	11
7. Neck (boneless)	38	38	38	38	29	29	29
8. Patties (ground meat) including boneless, breast and shank	38	38	38	38	29	29	29
9. Retail prices of wholesale cuts:							
A. Forequarters	27	26	24	22	13	12	10
B. Bracelot whole	31	30	27	23	16	15	12
C. Chuck whole	25	24	23	22	12	11	10

¹ Beef—D grade is cutters and canners and veal—D grade is culls.

These ceiling prices apply in all kosher retail stores selling these meats at retail located in Zone 10.

Zone 10 includes the following area:

Florida, all that portion of Florida south of and including the counties of Brevard, Seminole, Orange, Osceola, Polk, Hillsborough, and Pinellas.

The above prices are subject to the conditions contained in notes 1 to 3, inclusive.

NOTE 1. *Ground meat.* (a) The retailer must not sell any ground meat unless it is ground beef, ground veal or ground lamb as defined in section 16 of the kosher beef, veal, lamb and mutton retail regulation, and he must not sell such ground meat at prices higher than those listed above.

(b) If a customer buys any retail cut of meat and wants it ground, the retailer may grind that cut of meat for the customer, only if the grinding is done in a manner so that the customer can observe it. No addition may be charged the customer for the grinding.

(c) The retailer shall not have in his store or cooler any ground meat except ground beef, ground veal or ground lamb, or meat, which has been bought by a customer and ground at the customer's request and which is wrapped and marked with that customer's name.

NOTE 2. *Cube steak.* The retailer must not sell any cubed steaks which have been cubed in advance of an order. If a customer buys any retail cut of meat and wants it cubed, the retailer may cube that cut of meat for the customer, only if the cubing is done in a manner so that the customer can observe it and no addition is charged the customer for the cubing.

NOTE 3. *Yearling lamb.* The ceiling prices for yearling lamb cuts of the different grades are lower than the above ceiling prices for lamb. The retailer must not sell retail yearling lamb cuts of choice grade at a higher price than the ceiling price for the corresponding retail lamb cut of good grade; he must not sell retail yearling lamb cuts of good grade at a higher price than the ceiling price for the corresponding retail lamb cut of commercial grade; and, he must not sell retail yearling lamb cuts of commercial, utility and cull grades at a higher price than the ceiling price for the corresponding retail lamb cut of utility grade.

8. Section 22 is added to read as follows:

Sec. 22 Office of Price Administration list of ceiling prices for kosher variety meats and edible by-products: Fresh, cured and frozen—(a) Retail ceiling prices for kosher beef variety meats and edible by-products: fresh, cured and frozen.

[Price per pound]

Beef	Zone 1	Zone 2	Zones 3, 4	Zone 5	Zone 6	Zone 7	Zone 8	Zone 9	Zone 10
Brains.....	Cents 27	Cents 26	Cents 25	Cents 25	Cents 25	Cents 26	Cents 26	Cents 27	Cents 27
Cheek meat lip on.....	25	24	22	23	23	24	24	24	25
Feet.....	22	21	19	20	20	21	21	21	22
Heart, type B.....	23	22	21	21	22	22	22	23	23
Kidneys.....	22	21	19	20	20	21	21	21	22
Lips.....	14	13	12	12	13	13	13	14	14
Livers, type A.....	52	51	50	50	51	51	51	52	52
Livers, type B.....	46	45	44	44	44	45	45	46	46
Lungs.....	10	08	07	08	08	08	09	09	10
Melts.....	10	08	07	08	08	08	09	09	10
Sweetbreads, type A.....	54	53	52	52	53	53	54	54	54
Sweetbreads, type B.....	35	33	32	33	33	33	34	34	35
Tails under ¼ lb.....	20	19	18	18	19	19	19	20	20
Tails ¼ lb. and up.....	25	24	22	23	23	24	24	24	25
Tongues, type A.....	43	42	41	41	41	42	42	43	43
Tongues canner.....	34	33	32	32	32	33	33	33	34
Tripe bellies (scalded).....	11	10	09	09	10	10	10	11	11

(b) Retail ceiling prices for kosher veal variety meats and edible by-products: fresh, cured and frozen.

[Price per pound]

	Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6	Zone 7	Zone 8	Zone 9	Zone 10
Brains.....	Cents 32	Cents 30	Cents 29	Cents 29	Cents 30	Cents 30	Cents 31	Cents 31	Cents 31	Cents 32
Caul fat.....	21	20	18	19	19	19	20	20	20	21
Feet.....	20	19	18	18	18	19	19	19	20	20
Head skinned.....	28	27	25	26	26	26	27	27	27	28
Heart, type B.....	23	22	21	21	21	22	22	22	23	23
Heart and melt.....	19	18	16	16	17	17	18	18	18	19
Lips.....	14	13	11	12	12	13	13	13	14	14
Livers, type A.....	93	92	90	91	91	92	92	92	93	93
Livers, type B.....	86	87	86	86	87	87	87	88	88	89
Lungs, heart and melt.....	13	12	11	11	11	12	12	13	13	13
Melts.....	10	08	07	07	08	08	08	09	09	10
Sweetbreads, type A.....	68	67	66	66	66	67	67	68	68	68
Pairs, under 6 oz.....	66	65	63	63	64	64	65	65	65	66
Pairs, 6-12 oz.....	73	72	71	71	71	72	72	73	73	73
Pairs over 12 oz.....	89	87	86	86	87	87	87	88	88	89
Tails under ¼ lb. and up.....	20	19	18	18	18	19	19	19	20	20
Tails ¼ lb. and up.....	25	24	22	22	23	23	24	24	24	25
Tongues, type A.....	37	36	35	35	35	36	36	36	36	37
Tongues canner.....	29	28	27	27	27	28	28	29	29	29

(c) Retail ceiling prices for kosher lamb and mutton variety meats and edible by-products: fresh, cured and frozen.

[Price per pound]

	Zone 1	Zones 2, 3, 4	Zone 5	Zone 6	Zone 7	Zone 8	Zone 9	Zone 10
Brains.....	Cents 24	Cents 22	Cents 22	Cents 23	Cents 23	Cents 23	Cents 24	Cents 24
Caul fat.....	20	19	19	19	20	20	21	21
Head skinned.....	15	13	14	14	14	15	15	16
Livers, type A.....	44	42	43	43	43	44	44	44
Lungs and heart.....	15	13	14	14	14	15	15	16
Melts.....	09	07	08	08	08	09	09	10
Plucks.....	24	22	22	22	23	23	24	24
Sweetbreads, type A.....	48	46	46	47	47	47	48	48
Tongues, type A.....	29	27	28	28	29	29	29	30
Tripe (scalded), bellies.....	09	07	08	08	08	09	09	10

(d) Zones. The zones for kosher variety meats and edible by-products are the same as those for kosher beef, veal, lamb and mutton.

This Amendment No. 2 shall become effective June 21, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of June 1943.

GEORGE J. BURKE,
Acting Administrator.

PART 1499—COMMODITIES AND SERVICES
[SR 14 to GMPR, Amdt. 184]

ICE CREAM AND ICE CREAM MIX

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The effective date provision of Amendment No. 119 to Supplementary Regulation No. 14 to the General Maximum Price Regulation is amended to read as follows:

This Amendment No. 119 shall become effective February 22, 1943, and terminate on July 23, 1943.

This Amendment No. 184 shall become effective as of May 23, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of June 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-9236; Filed, June 8, 1943;
9:26 a. m.]

Chapter XIII—Petroleum Administration
for War

[Petroleum Directive 68]

PART 1529—MARKETING PETROLEUM

BULK PLANT AND DELIVERY OPERATIONS

The shortage of facilities for the transportation and storage of petroleum has created in certain areas shortages in the supply of petroleum and has made it imperative that all such facilities be used with maximum efficiency, that all back hauling, cross hauling, and unnecessary movement of petroleum be eliminated, and the following operating directive is deemed necessary for the prosecution of the war.

§ 1529.1 *Petroleum Directive 68*—(a) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Petroleum products" means motor fuel, kerosene, range oil, tractor fuel, distillate fuel oils, residual fuel oils, and lubricating oils and greases.

(3) "Bulk plant" means any place of business or part thereof where petroleum products are stored and from which such products are delivered to consumers and retail outlets by tank truck.

(4) "Supplier" means any person who delivers petroleum products by tank truck for redelivery or consumption.

*Copies may be obtained from the Office of Price Administration.

18 F.R. 3096, 3849, 4347, 4486, 4724, 4978, 4848, 6047, 6962.

(b) *Bulk plant and delivery operations.* In order to promote the purposes of this directive, all persons engaged in the business of distributing petroleum products as bulk plant operators or suppliers shall, so far as practicable, exchange, loan, sell, purchase or transfer petroleum products; and jointly use transportation equipment or bulk plant storage facilities when any such transaction will:

(1) Eliminate any unnecessary use of bulk plant storage facilities;

(2) Eliminate any unnecessary use of transportation equipment;

(3) Eliminate any unnecessary handling of petroleum products; or

(4) Promote the delivery of the largest volume of petroleum products with the least use of equipment.

(c) *Administration.* The District Marketing Committees through their Joint Use of Marketing Facilities Subcommittees and State Joint Use of Marketing Facilities Subcommittees are hereby charged with the responsibility and duty to encourage and promote such voluntary arrangements between suppliers and bulk plant operators as will achieve the economies required by this Directive and shall hold meetings from time to time for such purpose.

(d) *Reports.* Any arrangement entered into pursuant to the provisions of this directive shall be reported to the District Director of Marketing within 15 days after the conclusion thereof. The report shall describe the arrangement, specify the participants and a copy of any agreement entered into pursuant to this directive shall be attached thereto. The District Director of Marketing shall be notified of any change made in such arrangement, including the withdrawal or addition of participants, within 15 days after the change is made.

(e) *Appeals.* Any person affected by this directive who considers that compliance therewith or action taken hereunder would work an exceptional or unreasonable hardship upon him may file an appeal setting forth the pertinent facts and reasons why he considers himself entitled to relief.

(f) *Appeals and correspondence.* (1) All reports, appeals and correspondence in connection therewith filed under paragraphs (d) and (e) shall, unless otherwise directed, be addressed to the District Director of Marketing, Petroleum Administration for War, at:

(i) 122 East 42nd Street, New York, New York, if the bulk plant is located in the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Pennsylvania, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia, Florida, or the District of Columbia.

(ii) 1200 Blum Building, 624 South Michigan Avenue, Chicago, Illinois, if the bulk plant is located in the States of

Ohio, Kentucky, Tennessee, Indiana, Michigan, Illinois, Wisconsin, Minnesota, Iowa, Missouri, Oklahoma, Kansas, Nebraska, South Dakota, or North Dakota.

(iii) 245 Mellie Esperson Building, Houston, Texas, if the bulk plant is located in the States of Alabama, Mississippi, Louisiana, Arkansas, Texas, or New Mexico.

(iv) 320 First National Bank Building, Denver, Colorado, if the bulk plant is located in the States of Montana, Wyoming, Colorado, Utah, or Idaho.

(v) 855 Subway Terminal Building, Los Angeles, California, if the bulk plant is located in the States of Arizona, California, Nevada, Oregon, or Washington.

(E.O. 9276, 7 F.R. 10091)

Issued this 31st day of May 1943.

R. K. DAVIES,
Deputy Petroleum
Administrator for War.

[F. R. Doc. 43-9278; Filed, June 8, 1943;
11:24 a. m.]

TITLE 38—PENSIONS, BONUSES, AND
VETERANS RELIEF

Chapter I—Veterans' Administration

PART 2—ADJUDICATION: VETERANS' CLAIMS

SERVICE REQUIREMENTS FOR COMMISSIONED
OFFICERS OF COAST AND GEODETIC SURVEY

§ 2.1001 *Persons included in the Acts in addition to commissioned officers and enlisted men.*

No change in (a)-(n).

(o) *Commissioned officers of the Coast and Geodetic Survey.* Pursuant to section 2, Public Law 786, 77th Congress, commissioned officers of the Coast and Geodetic Survey who are assigned, (1) during the period of World War II to duty on projects for the War Department or the Navy Department in areas outside the continental United States or in Alaska, or (2) in coastal areas of the United States, determined by the War or Navy Department to be of immediate hazard, shall while on such duty be considered as performing active military or naval service. *Provided,* (3) commissioned officers of the Coast and Geodetic Survey serving in the Philippine Islands on December 7, 1941, will be considered as in active military or naval service from and including that date. *Provided,* That pension under this act may not be awarded concurrently with the United States Employees' Compensation. Except for (3) no disabilities incurred or deaths occurring prior to December 3, 1942, are cognizable under this act. (See also § 4.2006) (June 15, 1943) [33 U.S.C.A. 855a]

[SEAL]

FRANK T. HINES,
Administrator.

[F. R. Doc. 43-9213; Filed, June 7, 1943;
4:07 p. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office

(Circular 1548)

PART 79—TIMBER

FREE USE OF TIMBER ON PUBLIC LANDS IN ALASKA

- Sec.
- 79.1 Statutory authority.
- 79.2 Free use privilege; cutting by agent.
- 79.3 Free use of timber for Government purposes.
- 79.4 Application for permit.
- 79.5 Action by register on application.
- 79.6 Issuance of permit; cutting and removal of timber.
- 79.7 Amount of timber which may be cut.
- 79.8 Notice of completion of timber cutting operations.
- 79.9 Field examination.
- 79.10 Final action.
- 79.11 Timber on school sections and on withdrawn lands.
- 79.12 Rules to be observed in cutting timber.
- 79.13 Trespass; penalty for unauthorized cutting of timber.
- 79.13a Appeals.

AUTHORITY: §§ 79.1 to 79.13a, inclusive, issued under 30 Stat. 414, 52 Stat. 699; 48 U. S. C. 423.

§ 79.1 *Statutory authority.* Section 11 of the act of May 14, 1898 (30 Stat. 414; 48 U. S. C. 423), empowers the Secretary of the Interior to permit the use of timber found upon the public lands in Alaska by actual settlers, residents, individual miners, and prospectors for minerals, for firewood, fencing, buildings, mining, prospecting, and for domestic purposes as may actually be needed by such persons for such purposes. This section was amended by the act of June 15, 1938 (52 Stat. 699), so as to permit the use of such timber by churches, hospitals, and charitable institutions for firewood, fencing buildings and for other domestic purposes.

§ 79.2 *Free use privilege; cutting by agent.* The only timber which may be cut under these regulations for free use in Alaska is timber on vacant public lands in the territory not reserved for national forest or other purposes. The timber so cut may not be sold or bartered. The free use privilege does not extend to associations or corporations, except churches, hospitals, and charitable institutions. Any applicant entitled to the free use of timber may procure it by agent, if desired, but no part of the timber may be used in payment for services in obtaining it or in manufacturing it into lumber. Timber may not be cut by an applicant hereunder after the land has been included in a valid homestead settlement or entry or other claim, except that any applicant for the free use of timber who has been granted a permit to cut as hereinafter provided, will have the right to cut the timber while the permit remains in force as against a subsequent applicant who may wish to obtain the same timber by purchase.

Free use permits will not be issued where the applicant owns or controls lands having an adequate supply of timber to meet his needs.

§ 79.3 *Free use of timber for Government purposes.* Persons contracting with Government officials to furnish firewood or timber for United States army posts or for other authorized Government purposes may procure it from the vacant and unreserved public lands in Alaska free of charge, provided the contracts do not include any charge for the value of the firewood or timber. Where it is desired to procure timber for such use an application for permit in triplicate must be filed as in other cases, and a copy of the contract must be attached to the application.

§ 79.4 *Application for permit.* Before timber is cut for free use, an application for permit in triplicate must be filed in the district land office for the districts in which the lands to be cut over are situated.

The application must be executed in triplicate on Form 4-023f, copies of which may be obtained, on request, from any district land office in Alaska, or from the officer in charge, Branch of Field Examination, Anchorage, Alaska, and must contain the following information.

(a) The name, address, and business or occupation of the applicant.

(b) A description of the land from which the cutting is to be done, by legal subdivision, section, township and range numbers, if surveyed, or by metes and bounds, with reference to some permanent natural landmark, if unsurveyed. The cutting area must be restricted to the smallest area possible necessary to produce the kind and quantity of timber applied for.

(c) The amount and kind of the timber applied for.

(d) The proposed use of the timber and the place in Alaska at which it is to be used.

(e) A description by section, township and range, if surveyed, or by metes and bounds, if unsurveyed, of lands owned and controlled by applicant, and a statement of the quantity and species of timber growing on such lands and the reasons why this timber is not used.

(f) The name and address of the person who is to do the cutting.

(g) Facts as to the status of the land known to the applicant.

(h) The method to be utilized by the applicant in disposing of brush, tops, and lops, so as to minimize fire hazard and insect and fungus infestation, which must be in compliance with the territorial laws, or in the absence of such laws, such disposition must conform to proper forestry practices.

(i) Facts as to any other application or permit to cut timber for free use, under §§ 79.1-79.13, filed by the applicant within the preceding 12 months.

The right to cut timber under a permit will expire at the end of 12 months from the date of the issuance of the permit.

§ 79.5 *Action by register on application.* Upon receipt of the application for permit the register will give it a

serial number and will note a reference to it on his tract book.

The register will acknowledge receipt of the application and will advise the applicant that his application will be forwarded to the officer, Branch of Field Examination, Anchorage, Alaska, for appropriate action of which he will be duly notified. He will also advise the applicant whether the land is covered by any other application or permit or by any entry or selection, or whether it is reserved for national forest or other purposes, as shown by his records, and if the lands are not subject to timber cutting he will reject the application. No timber shall be cut until a permit is received and the register will so advise the applicant.

The register will then check the description of land owned or controlled by the applicant and set forth in his application with the records of the district land office noting status thereof on the application, and will promptly forward the application in triplicate to the officer, Branch of Field Examination, Anchorage, Alaska, in charge of the issuance of free use timber permits in Alaska. He will also furnish such officer a copy of his statement to the applicant, together with any other relevant data shown by his records or known to him pertinent to the issuance or denial of the permit.

§ 79.6 *Issuance of permit; cutting and removal of timber.* The officer, Branch of Field Examination, designated by the Regional Field Examiner, shall promptly pass upon the application and issue permit should the application appear regular in all respects, subject to field investigation or the furnishing of additional information by the applicant, should either be deemed necessary before issuance of the permit.

The permit, when issued, shall be by endorsement upon the application with date of issuance, and a copy shall be promptly sent to the applicant. When deemed necessary for the protection of the remaining timber, or in the best interests of the United States, the representative of the Branch of Field Examination issuing the permit shall incorporate in the approval of the permit the provisions under which the cutting of the timber and disposition of tops and lops shall be governed. The failure to observe such stipulations by the permittee shall constitute a trespass, and may bar him from securing other permits.

Upon allowance of a permit the register shall be notified in order that he may note the permit on the tract book. No timber shall be cut until permit is issued.

§ 79.7 *Amount of timber which may be cut.* During each calendar year each applicant entitled to the benefits of the act may take a total of 100,000 feet board measure or 200 cords in saw logs, piling, cordwood or other timber. This amount may be taken in whole in any one of such classes of timber or in part of one kind and in part of another kind or other kinds. Where a cord is the unit of measure, it shall be estimated in relation with saw timber in the ratio of 500 feet

board measure to the cord. Permits to take timber in excess of the amount stated may be granted to churches, hospitals, and charitable institutions upon a showing of special necessity therefor, and with the approval of the Regional Field Examiner where the stumpage value does not exceed \$500.00, or in larger quantities, by the Commissioner of the General Land Office.

§ 79.8 *Notice of completion of timber cutting operations.* Upon completion of the cutting, and the removal of the timber, the permittee must notify the register, stating when the work was completed, the land from which the timber was taken, the amount and kind of timber which was cut and removed, and the use to which the timber was put. The register will note his records to show the facts and will forward the notice to the clerk or other officer in charge of timber cutting operations in Alaska.

§ 79.9 *Field examination.* Field examination of timber cutting operations under free use permits will be made when deemed necessary by the officer in charge.

§ 79.10 *Final action.* After necessary action by the register and by the Branch of Field Examination, the permit and related papers will be forwarded through the office of the Ex Officio Commissioner for the Department of the Interior in Alaska, to the General Land Office.

§ 79.11 *Timber on school sections and on withdrawn lands.* Sections 79.1-79.13 are not applicable to timber upon sections 16, 33, and 36, which were reserved to the Territory for educational uses by the act of March 4, 1915 (38 Stat. 1214; 48 U.S.C. 353, 354). The regulations in §§ 79.1-79.13 are also inapplicable to timber upon withdrawn areas, unless the order of withdrawal permits or the cutting is authorized by the Commissioner of the General Land Office.

§§ 79.12 *Rules to be observed in cutting timber.* (a) Immature trees or trees other than of the size, kind and maturity necessary to furnish the class of timber desired are not to be cut and cordwood is not to be cut from trees suitable for saw logs or from spruce trees of a size exceeding 10 inches in diameter at the stump.

(b) All stumps are to be cut as close to the ground as conditions will permit and each tree is to be utilized to a diameter at the top sufficiently small to prevent unnecessary waste.

(c) Tops, lops, and necessarily cut underbrush are to be disposed of in such manner as will insure the least danger of the spread of forest fires and insect or fungus infestation, and under the supervision of the proper official of the Branch of Field Examination, who may determine in the permit the manner of disposal of tops, lops, and brush. Every possible precaution to prevent forest fires is to be taken and assistance in suppressing such fires when discovered is to be rendered. If the applicant fails properly to dispose of tops, lops, and

underbrush, he will be liable for any expense necessarily incurred by the Department in properly disposing of the debris. He shall also be chargeable for damages to timber or property by fire arising through his negligence or that of his employees.

§ 79.13 *Trespass; penalty for unauthorized cutting of timber.* The cutting of timber from the public land in Alaska, other than in accordance with the terms of the law and the regulations of the Department of the Interior, will render the persons responsible liable to the United States in a civil action for trespass, and such persons may be prosecuted criminally under section 49 of the Criminal Code approved March 4, 1909 (35 Stat. 1098; 18 U.S.C. 103).

§ 79.13a *Appeals.* A party aggrieved by any action involving his application may appeal to the Commissioner of the General Land Office, and the Secretary of the Interior, pursuant to the Rules of Practice (43 CFR, Part 221).

FRED W. JOHNSON,
Commissioner.

Approved: May 29, 1943.

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 43-8907; Filed, June 1, 1943;
2:35 p. m.]

[Circular 1557]

PART 104—AMENDMENTS

AMENDMENTS OF PATENTS

In order to show present procedure, the regulations relating to the amendment of patents are amended as follows:

Section 104.2 is amended by inserting in the first sentence thereof, immediately after the word "entered," the following:

* * * or in the General Land Office, if there is no district land office in the state in which the land lies, * * *

Section 104.7 is amended by adding at the end thereof the following:

* * * The applicant's agent or attorney is not qualified to act as notary public in connection with the papers filed in support of the application. (Act of June 29, 1906, 34 Stat., 622)

FRED W. JOHNSON,
Commissioner.

Approved: May 31, 1943.

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 43-8908; Filed, June 1, 1943;
2:35 p. m.]

[Circular 1545]

PART 108—PATENTS

ISSUANCE OF PATENTS

In order to show present procedure, the regulations relating to the issuance and delivery of patents in public land cases are amended as follows:

The first paragraph of § 108.1 is amended to read:

§ 108.1 *Issuance of patents; transmittal to district land office.* All patents issuing from the General Land Office are issued in the name of the United States, are signed in the name of the President by an employee designated to act as his secretary for that purpose, and are countersigned by the chief or acting chief of the patents division in that office. They are recorded in the General Land Office in books kept for the purpose (R.S. 458; 43 U.S.C. 15; Reorganization Plan III, sec. 4, effective June 30, 1940, 54 Stat., 1232).

The last paragraph of § 108.1 is amended by adding at the end thereof a new sentence, as follows:

* * * Patents based on final certificates or orders, issued by the General Land Office, will be delivered directly to the patentee or his or her recognized agent or successor in interest. Their receipt must be acknowledged.

FRED W. JOHNSON,
Commissioner.

Approved: May 28, 1943.

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 43-8909; Filed, June 1, 1943;
2:34 p. m.]

[Circular 1543]

PART 146—EXCHANGES OF PRIVATELY OWNED LANDS UNDER TAYLOR GRAZING ACT

In order to show changes in procedure, due to the establishment by the Secretary of the Interior by Order No. 1639 of January 17, 1942, of a Branch of Field Examination in the General Land Office, the regulations relating to private exchanges under the Taylor Grazing Act, contained in Part 146 of Title 43, as amended by Circular No. 1474, approved July 8, 1940, are further amended as follows:

Section 146.3 is amended by deleting from the first paragraph thereof the sentence "Should it appear necessary, an appropriate report will be requested from the Division of Investigations," and substituting therefor the sentence "Should it appear necessary a field examination will be authorized," also by deleting from the third paragraph thereof the words "Director of Investigations" and substituting the words "regional field examiner" and by deleting from the same paragraph the words "to the General Land Office."

Section 146.9 is amended by deleting from paragraph two thereof the words "or the report from the Director of Investigations, if requested."

In order to show other present procedure, § 146.4 is amended by adding the words "an acceptable policy of title insurance or" before the words "an ab-

tract of title" in the eighth line of the section.

FRED W. JOHNSON,
Commissioner.

Approved: May 21, 1943.

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 43-8910; Filed, June 1, 1943;
2:37 p. m.]

[Circular 1538]

**PART 151—EXCHANGES FOR MIGRATORY BIRD
OR OTHER WILDLIFE REFUGES**

In order to show changes in procedure resulting from Reorganization Plan No. II of May 9, 1939 (53 Stat. 813, 1431, 1433; 5 U.S.C., secs. 133s, 133t), and Reorganization Plan No. III of April 2, 1940 (54 Stat. 230, 231, 1231, 1232; 5 U.S.C., secs. 133t, 133u), the regulations relating to exchanges for migratory bird or other wildlife refuges, contained in Part 151, are amended as follows:

Section 151.1: The first paragraph is deleted and there is substituted therefor, the following paragraph:

Section 303 of the act of June 15, 1935 (49 Stat. 382, 16 U.S.C., sec. 715d-2), and Reorganization Plan No. II of May 9, 1939 (53 Stat. 813, 1431, 1433; 5 U.S.C., secs. 133s, 133t), authorize the Secretary of the Interior, in his discretion and when the public interests will be benefited thereby, to accept on behalf of the United States title to any lands which in his opinion, are chiefly valuable for migratory bird or other wildlife refuges, and in exchange therefor to patent not to exceed an equal value of surveyed or unsurveyed, unappropriated and unreserved nonmineral public lands in the same State, the value in each case to be determined by him.

Section 151.2: In the first sentence the words "Department of Agriculture" are deleted and the words "Fish and Wildlife Service" are substituted therefor. In the second sentence the words "Biological Survey or with the Department of Agriculture" are deleted and the words "Fish and Wildlife Service" are substituted therefor. In the fourth sentence the words "Secretary of Agriculture" are deleted and the words "Director, Fish and Wildlife Service" are substituted therefor.

Section 151.3: In the first and second sentences the words "Secretary of Agriculture" are deleted and the words "Director, Fish and Wildlife Service" are substituted therefor.

Section 151.4: In the second sentence the words "Secretary of Agriculture" are deleted and the words "Director, Fish and Wildlife Service" are substituted therefor.

Section 151.11: The words "Secretary of Agriculture" are deleted and the words "Secretary of the Interior" are substituted therefor.

FRED W. JOHNSON,
Commissioner.

Approved: May 26, 1943.

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 43-8911; Filed, June 1, 1943;
2:33 p. m.]

[Circular 1540]

PART 251—AIRPORTS AND AVIATION FIELDS

In order to show the change in procedure authorized by the Secretary of the Interior by Order No. 1799 of March 19, 1943, the regulations relating to public airport leases contained in Part 251 of Title 43 of the Code of Federal Regulations are amended as follows:

Sections 251.6, 251.9, 251.10 and 251.12 are amended by deleting therefrom the words "Secretary of the Interior" and substituting therefor the words "Commissioner of the General Land Office."

A new section has been added as follows:

§ 251.17 Appeals. Any party aggrieved by any action of the Commissioner may appeal to the Secretary of the Interior pursuant to the Rules of Practice (43 CFR, Part 221).

In order to show other present procedure, §§ 251.6 to 251.9, inclusive, and §§ 251.13 and 251.14 are amended by deleting therefrom the words "Secretary of Commerce" and "Department of Commerce," wherever they occur, and substituting therefor the words "Administrator, Civil Aeronautics Administration."

FRED W. JOHNSON,
Commissioner.

Approved: May 26, 1943.

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 43-8912; Filed, June 1, 1943;
2:37 p. m.]

[Circular 1546]

PART 170—NATIONAL FOREST HOMESTEADS

PREFERENCE RIGHT CLAIMANTS

The preference rights of soldiers and sailors in connection with the homestead and desert land laws, which were extended by Public Resolution No. 85, approved June 12, 1930 (46 Stat. 580; 43 U.S.C. 186), expired on February 14, 1940. Due to such expiration, § 170.7 is amended as follows:

The first paragraph of the section is amended to read:

§ 170.7 Preference right claimants. Any person qualified to make a homestead entry who, prior to January 1, 1906, occupied and in good faith claimed any lands listed under the Act of June 11, 1906 for agricultural purposes, and who has not abandoned the same and the person upon whose application such land was listed, has, each in the order named, the preferred right to enter the lands so settled upon or listed at any time within 60 days prior to restoration of the land. Should an application be filed by such settler during the 60-day period the register will, upon his showing by affidavit the fact of such settlement and continued occupancy, allow the entry. If an application is filed during the said period by the party upon whose request the lands were listed, the register will retain said application on file in his office until the date of restoration or until an entry has been made by a claimant having the superior preference right. If no appli-

cation by a bona fide settler prior to January 1, 1906, is filed within the preference-right period the register will allow the application of the party upon whose request the lands were listed. If entry by a person claiming a settler's preference right is allowed, other applications should be rejected without waiting the expiration of the preferred period. Of the applicants for listing, only the one upon whose request a tract is listed secures any preference right. Other applicants for the listing of the same tract acquire no right by virtue of such applications.

The second paragraph is deleted.

FRED W. JOHNSON,
Commissioner.

Approved: May 28, 1943.

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 43-8913; Filed, June 1, 1943;
2:34 p. m.]

[Circular 1552]

PART 192—OIL AND GAS LEASES

The oil and gas leasing regulations contained in the sections indicated below are hereby amended or revoked as follows:

GENERAL STATEMENT

§ 192.1 Issuance of leases. The Act approved August 21, 1935 (49 Stat. 674, 30 U.S.C., secs. 185, 223, 223a, 226) amends sections 13, 14, 17, and 28 of the Mineral Leasing Act of February 25, 1920 (41 Stat. 437).

All lands subject to disposition under the Mineral Leasing Act which are known or believed to contain oil and gas deposits may be leased in units of not exceeding 640 acres to the highest responsible qualified bidder by competitive bidding under general regulations, except that the first qualified applicant for lease of lands not within a known geologic structure of a producing oil or gas field is entitled to a preference right over others to lease such lands without competitive bidding. Leases for terms of 5 or 10 years and so long thereafter as oil or gas is produced in paying quantities are authorized at a royalty of not less than 12½ per centum of the amount of production and an annual rental charge of not less than 25 cents per acre. Rights-of-way for oil and gas pipe lines may be granted, as provided for in §§ 244.56-244.61.

§ 192.4 Drainage. Upon determination that wells drilled upon lands not owned by the United States are draining oil or gas from lands or deposits owned in whole or in part by the United States, the Secretary of the Interior may negotiate agreements whereby the United States or the United States and its lessees or grantees shall be compensated for such drainage, such agreements to be made with the consent of any lessees affected thereby.

Steps looking to the negotiation of such special agreements may be initiated in the Department or by application of interested parties. The precise nature of any agreement negotiated will depend

on all the conditions and circumstances involved in the particular case.

§ 192.5 *Abandonment of wells drilled under lease.* Upon plugging or abandoning a well drilled under a lease, the casing shall not be drawn from the well until authority has been obtained in writing from the supervisor of the Geological Survey or other authorized agent of the Department of the Interior.

The centerhead "Outstanding Oil and Gas Prospecting Permits and Applications Therefor," for §§ 192.6 to 192.16, inclusive, is deleted, leaving these sections under the centerhead "General Statement" at the beginning of Part 192.

§ 192.6 *Applications for permits; when considered as applications for leases.* [Revoked]

§ 192.7 *Extensions of permits.* [Revoked. Footnote 44 for the section is deleted]

§ 192.8 *Limitation as to holdings.* [Revoked]

§ 192.9 *Leases under permits as a reward for discovery.* [Revoked, except as to pending applications for oil and gas leases based upon discoveries under prospecting permits]

§ 192.10 *Application for lease, based on discovery.* [Revoked, except as to pending applications for oil and gas leases based upon discoveries under prospecting permits]

§ 192.11 *Exchange of permits for leases.* [Revoked, except as to pending applications to exchange oil and gas prospecting permits for leases]

§ 192.12 *Leases on same land for oil, gas, and other minerals.* The granting of a lease for the development or production of oil or gas will not preclude other permits or leases of the same land for the mining of other minerals, under the Act of February 25, 1920, as amended, with suitable stipulations for such joint operation, to the end that the full development of the mineral resources may be secured, nor will it necessarily preclude the allowance of applicable entries, locations, or selections of the lands included therein with a reservation of the mineral deposits to the United States.

§ 192.13 *Relinquishment of permits.* [Revoked]

§ 192.15 *Maximum fees; rule of approximation.* As a matter of equitable administration oil and gas leases are issued for areas exceeding 2,560 acres by invoking the rule of approximation, and while § 191.5, provides that the filing fee on an application for such lease shall be "\$2 for each 160 acres or fraction thereof," that provision is held to apply only to cases involving less than 2,560 acres, and as the law fixes the limit of 2,560 acres in any one case for which a lease may be issued, the maximum fee of \$32 only should be charged, in cases where the maximum acreage is exceeded but the rule of approximation is not violated.

LEASES WITH AND WITHOUT COMPETITIVE BIDDING

§ 192.19 *Auction of lease; qualifications of successful bidder.* * * *

(b) The affidavit of the bidder or the affidavit of one of the officers of a corporate bidder, stating in full the interests, direct or indirect, held in leases, and applications therefor, in the same State, identifying the records wherein such interests may be found.

The register will thereupon transmit such showing, together with a report of the proceedings had at the auction by a special letter to the Commissioner of the General Land Office.

§ 192.22 *Preference right to lease without competitive bidding.* A preference right over others to a lease without competitive bidding is granted under section 17, as amended, to the person first making application for the lease of any lands not within any known geologic structure of a producing oil or gas field who is qualified to hold a lease under the Act.

§ 192.23 *Applications for leases without competitive bidding.* * * *

(b) Statement as to citizenship: In case of an individual, whether native born or naturalized and, if naturalized, date of naturalization, court in which naturalized, and number of certificate if known; if a woman, whether she is married or single; if married, the date of her marriage and the citizenship of her husband; if a corporation, by certified copy of the articles of incorporation and a showing as to residence and citizenship of the stockholders; if a majority of the stock is owned or controlled by any one stockholder, a separate showing of his citizenship and holdings. In case any of the stock of the corporation is held by aliens, a showing giving name, record address and the amount of stock held by each is required.

Whenever deemed advisable, any corporate bidder or applicant for oil and gas lease may be required to file a sworn statement of the proper officer showing whether the applicant or any person controlling, controlled by, or under common control with the applicant has filed any registration statement, application for registration, prospectus or offering sheet with the Securities and Exchange Commission pursuant to the Securities Act of 1933 or the Securities Exchange Acts of 1934 or said Commission's rules and regulations under said Acts; if so, under what provision of said Acts or rules and regulations; and what disposition of any such statement, application, prospectus or offering sheet has been made.

(c) A statement of the interests, direct and indirect, held by the applicant in leases, and applications therefor, in the same State, identifying the records wherein such interests may be found. Lessee's chargeable interests may not exceed in the aggregate 7,680 acres in any one State and not more than 2,560 acres within the geologic structure of the same producing oil or gas field. For

acreage not chargeable see footnote hereto¹.

Footnote 46 for § 192.23 is deleted.

§ 192.24 *Leases based on permit applications.* [Revoked]

§ 192.28 *Form of lease.* Leases issued with and without competitive bidding under the Act of February 25, 1920, as amended by the Act of August 21, 1935 (49 Stat. 674, 30 U.S.C. 226), will be in form and substance substantially as follows:

(a) *Bond.* To furnish prior to beginning of drilling operations and maintain at all times thereafter as required by the lessor a bond in the penal sum of \$5,000 with approved corporate surety, or with deposit of United States bonds as surety therefor, conditioned upon compliance with the terms of this lease; and, until such bond is furnished, to submit and maintain a bond in the sum of \$1,000 with acceptable surety, similarly conditioned. The requirement made herein for the filing of a \$1,000 bond shall apply only in those cases in which a bond is required by law for the protection of the owners of surface rights. In all other cases the \$1,000 bond must be filed not less than 90 days before the due date of the next unpaid annual rental, but this requirement may be successively dispensed with by making payment of each successive annual rental not less than 90 days prior to its due date. In the absence of the payment of the rental in advance as herein authorized, the requirement for the filing of the bond within the time prescribed must be complied with strictly, and upon the failure of the lessee to comply therewith the lease shall be subject to cancellation by the Secretary in accordance with the provisions of the lease and the Act of February 25, 1920 (41 Stat. 437) as amended by the Act of August 21, 1935 (49 Stat. 674). Nothing herein contained shall operate to relieve the lessee from the obligation to furnish a \$5,000 general lease bond prior to beginning drilling operations.

(b) *Cooperative or unit plan.* Within 30 days of demand, or if the land is within an approved unit plan, in the event such plan is terminated prior to the expiration of this lease, within 30 days of demand made thereafter, to subscribe to and to operate under such reasonable cooperative or unit plan for the development and operation of the area, field, or pool embracing the lands included herein as the Secretary of the Interior may determine to be practicable and necessary or advisable, which plan shall adequately protect the rights of all parties in interest including the United States.

¹ Acreage is not charged where embraced in leases issued in exchange for prospecting permits until one year after discovery of valuable deposits of oil or gas within the limits of the lease; in leases issued pursuant to sections 18 and 19 of the Act of February 25, 1920 (41 Stat. 443, 445); nor where embraced in leases committed to approved unit agreements.

(d) *Rentals.* To pay the lessor in advance on the first day of the month in which the lease issues a rental of 50 cents for each acre or fraction thereof for the first lease year, and a rental of 25 cents for each subsequent lease year beginning prior to discovery of a valuable deposit of oil or gas within the limits of the geological structure on which all or part of the leased lands are situated: *Provided*, That if this lease is granted under section 17 of the act, as amended, for lands not within any known geologic structure of a productive oil or gas field, no rental is required for the second and third lease years unless a valuable deposit of oil or gas is sooner discovered: *Provided further*, That for each lease year beginning on or after discovery a rental of \$1 per acre or fraction thereof shall be paid, the rental so paid for any one lease year to be credited on the royalty for that year: *And provided further*, That when the Secretary of the Interior shall direct or shall assent to suspension of operations or of production of oil or gas under this lease, after a valuable deposit of oil or gas shall have been discovered within the lands leased, any payment of acreage rental prescribed herein likewise shall be suspended during such period of suspension of all operations and production; and this lease shall not be deemed to expire by reason of suspension of prospecting, drilling, or production, pursuant to any order or consent of the said Secretary.

(h) *Payments.* Unless otherwise directed by the Secretary of the Interior, to make rental, royalty, or other payments to the lessor, to the order of the Treasurer of the United States, such payments to be tendered to the Register of the district land office in which the lands are located or to the Commissioner of the General Land Office if there is no district land office in the State in which the lands are located.

(p) *Assignment of lease.* Not to assign this lease, or any interest therein, whether by operating agreement, working or royalty interest, or otherwise, nor to sublet any portion of the leased premises, except with the consent in writing of the Secretary of the Interior. All assignments must be submitted in triplicate within 30 days from the date of execution and must contain all of the terms and conditions agreed upon by the parties thereto. If the consideration expressed in the agreement fails to describe the true consideration, an accompanying affidavit must be submitted stating the consideration in full. The affidavit will be treated as confidential and not for public inspection. No assignment of any kind will be recognized as valid which, exclusive of the royalty payable to the United States, shall create overriding royalty interests in the lease aggregating in excess of five per cent. Furthermore, no assignments providing for other payments out of production which constitute a burden upon lease operations prejudicial to the interests of the United States will be approved.

(s) *Reserved or segregated lands.* If any of the land included in this lease is embraced in a reservation or segregated for any particular purpose, the lessee shall conduct operations thereunder in conformity with such requirements as may be made by the Secretary of the Interior for the protection and use of the land for the purpose for which it was reserved or segregated, so far as may be consistent with the use of the land for the purposes of this lease, which latter shall be regarded as the dominant use unless otherwise provided herein or separately stipulated.

COOPERATIVE OR UNIT DEVELOPMENT

§ 192.31 *General statement.* The Act of March 4, 1931 (46 Stat. 1523, 30 U.S.C. 184), makes provision for cooperative or unit development of a single oil or gas field for the purpose of conserving the natural resources thereof—when determined and certified to be in the public interest; authorizes approval of operating, drilling, or development contracts regardless of acreage limitations—when required by the conservation of natural products or the public convenience or necessity or when the interests of the United States may best be subserved thereby; and confirms by specific authorization current practice in the matter of suspension or modification of the drilling or producing requirements of outstanding oil and gas leases—when deemed to be necessary or in the public interest. Consent of the holders of existing leases is prescribed as a prerequisite to modification of the terms thereof. With such consent, however, the Secretary of the Interior is authorized to establish, alter, change, or revoke drilling, producing, and royalty requirements, of leases included in a cooperative or unit plan of development or operation, to make such regulations with reference to such leases as he may deem necessary or proper to secure the proper protection of the public interest; and to suspend or modify the drilling or producing requirements of leases though not included in a cooperative or unit plan. The Act further provides that any lease that has become the subject of an approved cooperative or unit plan of development or operation or other approved plan for the conservation of the oil and gas of a single pool or area shall continue in force at least until the termination of such plan; and requires that cooperative or unit plans of development or operation shall vest authority, limited as therein provided, in the Secretary to alter or modify from time to time the quantity and rate of production under said plan.

The Act of August 21, 1935 (49 Stat. 676, 30 U.S.C. 236) provides that the Secretary of the Interior for the purpose of more properly conserving the oil or gas resources of any area, field, or pool, may require that leases thereafter issued under any section of this Act be conditioned upon an agreement by the lessee to operate, under such reasonable cooperative or unit plan for the development and operation of any such area, field, or pool as he may determine to be practicable and necessary or advisable, which

plan shall adequately protect the rights of all parties in interest, including the United States.

§ 192.32 *Parties to plan; Secretary of the Interior to be authorized to alter or modify quantity and rate of production.* Any cooperative or unit plan of operation or development of a single pool or field after discovery of oil or gas has been made must be by agreement of all the Government lessees or their representatives and the owners or lessees of the lands in private ownership, or by such lessees and owners or their representatives as will give effective control of the production of the pool or field. Such an agreement must contain a provision giving authority, limited as agreed upon and therein fixed, to the Secretary of the Interior to alter or modify from time to time the quantity and rate of production under the plan. In general, exercise of authority to modify quantity and rate of production will be limited to modification for the purpose of preventing waste, discouraging unreasonable prices, or accomplishing other objects deemed necessary in the public interest.

§ 192.34 *Parties who may submit unit plan.* Such a plan may be submitted by lessees, operators or others having substantial interests in the production of the field for determination either before or after the interests therein have completed an agreement to unite in a cooperative or unit plan of operation or development, but no such plan which involves Government leases will become operative until certified by the Secretary of the Interior as provided in the Act, nor until the completed articles of agreement, duly executed, have been submitted to the Secretary and formally approved by him.

§ 192.35 *Approval of operating, drilling or development contracts without regard to acreage limitations.* The provision of section 27, of the Leasing Act, as amended, authorizing the Secretary of the Interior to approve operating, drilling, or development contracts without regard to acreage limitations is primarily intended to permit pipe-line companies or other operators to enter into contracts with lessees in numbers sufficient to justify operations on a large scale for the discovery, development, production, or transportation of oil or gas and to finance the same.

The contract submitted for approval under this provision should be accompanied by a statement showing all the interests held by the contractor in the field and the proposed or agreed plan of operation or development of the field. All the contracts held by the same contractor in the field should be submitted for approval at the same time, and full disclosure of the project made. There must be complete details furnished in order that the Secretary of the Interior may have facts to make a definite determination in accordance with the provisions of the Act, and prescribe the conditions on which approval of the contracts is made.

§ 192.37 *Issuance of leases without discovery within permit area, subject to*

unit plan. [Revoked, except as to pending application]

§ 192.39 *Leases for lands within and without unitized areas.* Any oil and gas lease for lands within the boundaries of a unitized area, issued subsequent to the approval of the unit agreement for such area, will contain appropriate provisions making the lease immediately subject to the unit agreement. The lease applicant must file, prior to the issuance of such lease, evidence that he has entered into an agreement with the unit operator for the development and operation of the lands in his lease under and pursuant to the terms and provisions of the approved unit agreement, or an affidavit giving satisfactory reasons for the failure to enter into such agreement.

In case an application for lease is filed under the Act of August 21, 1935 (49 Stat. 674, 30 U.S.C. 226), amending the Act of February 25, 1920 (41 Stat. 437), which embraces lands partly within and partly without the exterior boundaries of a unitized area, and is found allowable, separate leases will be issued, one embracing the lands within the unit area, and one for the lands outside of such unitized area.

ASSIGNMENTS

§ 192.41 *Assignments of leases.* Leases may be assigned to qualified persons or corporations upon first obtaining consent of the Secretary of the Interior. The assignments must be filed in triplicate. Mere rights to receive a lease are not assignable.

§ 192.42a *Royalty interests in oil and gas prospecting permits and assignments thereof.* [Revoked]

§ 192.42b *Royalty interests in oil and gas leases and assignments thereof.* Royalty interests in oil and gas leases constitute holdings or control of lands and deposits within the meaning of the first sentence of section 27 of the Act of February 25, 1920 (41 Stat. 437), as amended (46 Stat. 1524, 30 U.S.C. 184). Assignments of such interests in leases must be filed for record purposes in the appropriate district land offices accompanied by a showing in affidavit form by the assignees as to their citizenship and holdings in other oil and gas leases in the same State, but they will not be approved unless and until a discovery of a valuable deposit of oil or gas is made.

§ 192.42c *Effective date and applicability.* Section 192.42b became effective November 18, 1938, and is applicable to all assignments of royalty interests in oil and gas leases not theretofore approved by the Department regardless of the date on which the assignment was made.

§ 192.43 *Separate assignments required for transfer of record titles to leases.* A separate assignment of each oil and gas lease will be required when transfers of interests involve record titles, whether the interests are of the entire lease, title to specific tracts, or undivided title interests.

When transfers to the same person, association, or corporation, involving more than one oil and gas lease are filed

for Departmental approval, one request for approval thereof and one showing as to the qualifications of the assignee will be sufficient.

The centerhead preceding § 192.44 is amended to read as follows: "Preference Right of Entryman or Owner to Lease".

PREFERENCE RIGHT OF SETTLER TO LEASE

§ 192.45 *Settlers who are entitled to preference rights.* A settler upon the public domain prior to the passage of the Leasing Act of February 25, 1920 (41 Stat. 437), where the lands involved were not at time of settlement withdrawn or classified as valuable for oil and gas deposits, is entitled under certain conditions to a preference right to an oil and gas lease, pursuant to section 20 of the Mineral Leasing Act (41 Stat. 445, 30 U.S.C. 229), for the lands settled upon.

§ 192.51 *Valid rights of settlers not affected by permits.* [Revoked]

§ 192.62 *Requirements when land is in reclamation project.* [Revoked]

§ 192.63 *Drilling bond required of permittee.* [Revoked]

§ 192.64 *Individual surety bonds.* Where individual surety bonds are tendered they must be executed by not less than two qualified individual sureties to cover compliance with all terms and conditions of the lease or the applicable law or regulation. With the bond signed by the individual sureties must be filed affidavits of justification by the sureties that each is worth in real property not exempt from execution, double the sum specified in the undertaking, over and above his just debts and liabilities. With such bonds must also be furnished a certificate by a judge or clerk of a court of record, a United States attorney, a United States commissioner, or a United States postmaster, as to the identity, signatures, and financial competency of these sureties. All bonds will be examined from time to time as to their sufficiency and additional security will be required whenever deemed necessary.

All bonds furnished with individual sureties will be listed by the General Land Office for examination at the expiration of 2 years from date of bond, and every 2 years thereafter, at which time, or at any other time when found advisable, the principal of the bond will be required to furnish new affidavits of justification by the sureties, and if such sureties are unable to qualify additional security will be required.

FRED W. JOHNSON,
Commissioner.

Approved: May 31, 1943.

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 43-8914; Filed, June 1, 1943;
2:35 p. m.]

[Circular 1549]

PART 192—OIL AND GAS LEASES

§ 192.14c *Applications for lease of lands in terminated leases, at expiration of lease term.* Noncompetitive oil and gas leases issued for a period of five years

terminate by operation of law at the expiration of the five-year term unless oil or gas has been discovered within the boundaries of the lease or unless the lease has been committed to an approved unit plan of operation and oil or gas is being produced from the unitized area. When a lease is terminated by reason of the expiration of the five-year term, the lands not within a known geologic structure of a producing oil or gas field automatically become subject to application for lease at the beginning of the next business day after the day on which the lease terminated. No applications to lease the lands may be filed prior thereto, except as provided in § 192.14d.

§ 192.14d *Preference right of lessee to a new lease.* Pursuant to section 1 of the Act of July 29, 1942 (56 Stat. 726), upon the expiration of the five-year term of any noncompetitive oil and gas lease issued for a period of five years and maintained in good standing under the law and the applicable regulations, the record title holder has a preference right over others to a new lease for the same land pursuant to the provisions of section 17 of the Act of February 25, 1920, as amended (49 Stat. 674, 30 U.S.C. 226), and under such rules and regulations as are then in force, provided he files an application therefor within 90 days prior to the date of the expiration of the lease.

The lessee must, within the period beginning 90 days prior to the date of expiration of the lease and ending on the date of expiration, submit an application under oath in accordance with the regulations (43 CFR 192.23; Par. 10, Circ. 1386) accompanied by a proper filing fee (43 CFR 191.5) and the first year's rental, which is at the rate of 50 cents per acre or fraction thereof.

(Sec. 32, 41 Stat. 450, 30 U.S.C. 181; Sec. 1, 56 Stat. 726)

FRED W. JOHNSON,
Commissioner.

Approved: May 29, 1943.

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 43-8915; Filed, June 1, 1943;
2:36 p. m.]

[Circular 1539]

PART 253—PARKS AND CEMETERIES

SALES OF PUBLIC LAND TO INCORPORATED CITIES AND TOWNS FOR PARKS AND CEMETERIES, EXCLUSIVE OF ALASKA

Sec.
253.1 Statutory authority.
253.2 Application to purchase and for survey and petition for classification.
253.3 Publication, proof and payment.
253.4 When mineral deposits will be reserved.

SALE OF PUBLIC LANDS TO CORPORATIONS OR ASSOCIATIONS FOR CEMETERIES

253.5 Statutory authority.
253.6 Application to purchase and for survey and petition for classification.
253.7 Publication, proof and payment.
253.8 Entry in corporate name; reversionary clause.

AUTHORITY: §§ 253.1 to 253.8, inclusive, issued under 26 Stat. 502, 34 Stat. 1052; 43 U.S.C. 729, 682.

SALE OF PUBLIC LANDS TO INCORPORATED CITIES AND TOWNS FOR PARKS AND CEMETERIES, EXCLUSIVE OF ALASKA

§ 253.1 *Statutory authority.* The right of entry under the act approved September 30, 1890 (26 Stat. 502; 43 U.S.C. sec. 729), for parks and cemeteries, is restricted to incorporated cities and towns and each of such cities and towns shall be allowed to make entries of tracts of unreserved and unappropriated public land by government subdivisions, not exceeding in all entries hereunder by such city or town a quarter section in area, all of which must lie within three miles of the corporate limits of the city or town for which the entries are made. Section 2 of the act of October 17, 1940 (54 Stat. 1192) made the act of September 30, 1890, inapplicable to the territory of Alaska (43 CFR 72.1).

§ 253.2 *Application to purchase and for survey and petition for classification.* An application to purchase land under the act of September 30, 1890, can only be made by the municipal authorities of an incorporated city or town and in all cases the entries will be made and patents issued to the municipality in its corporate name for the specific purpose or purposes mentioned in said act.

If the public surveys have not been extended over the land sought by any city or town under the provisions of said act, the application shall also request a special survey of the outboundaries of such tract. The application should describe the character of the land sought to be surveyed and, as accurately as possible, its area and geographical location. Tracts covered by such special surveys must be as nearly as practicable in square form, and entries of the same will not be allowed until after the surveys shall have been approved by the Supervisor of Surveys and accepted by the Commissioner of the General Land Office. The current appropriation for "surveying the public lands" being applicable to the survey of lines of reservations, as well as to the extension of the ordinary lines of the system of public land surveys, the cost of the surveys of all unsurveyed lands selected under the provisions of the act of September 30, 1890, will be paid for out of said appropriation, the same as the special surveys of the outboundaries of town sites and for like reasons (see case of Fort Pierre, 18 C.L.O. 117), and the surveyors who execute such special surveys will report whether the land is either mineral in character or within an organized mining district.

An application which is not based upon a claim initiated prior to the general withdrawal orders of November 26, 1934 (43 CFR 297.11) and February 5, 1935 (43 CFR 297.12), as the case may be, must be accompanied by a petition for classification of the lands under section 7 of the Taylor Grazing Act of June 28, 1934 (48 Stat. 1269) as amended by the act of June 26, 1936 (49 Stat. 1976; 43 U.S.C. 315f) in the manner prescribed by 43 CFR, Part 296.

§ 253.3 *Publication, proof and payment.* After the classification of the land for the use requested, proof must be furnished satisfactorily showing:

(a) Publication of notice of intention to make entry in accordance with § 106.18.¹

(b) The official character and authority of the officer or officers making entry.

(c) The fact and date of incorporation of the city or town by which the entry is to be made, and the extent and location of its corporate limits, by a certificate of the officer having custody of the record of incorporation.

(d) That the land applied for is vacant and unappropriated by any other party, and as to whether the same is either mineral in character or located within an organized mining district or within a mining region, by the testimony of the applicant and two of the advertised witnesses.

(e) In case the land applied for is described by metes and bounds, as established by a special survey of the same, that the applicant and two of the advertised witnesses have testified from personal knowledge obtained by observation and measurements that the land to be entered is wholly within three miles of the corporate limits of the city or town for which entry is to be made.

Payment for the land must be made after proof has been accepted, at such price per acre as shall be determined by the Commissioner of the General Land Office, provided that in no case shall the price be less than \$1.25 per acre.

§ 253.4 *When mineral deposits will be reserved.* Where the proof shows that the land is mineral in character, located in a mining district, or is within a region known as mineral lands, the certificate of entry shall contain the following proviso:

Provided, That no title shall be hereby acquired to any mineral deposits within the limits of the above described tract of land, all such deposits therein being reserved as the property of the United States.

SALE OF PUBLIC LANDS TO CORPORATIONS OR ASSOCIATIONS FOR CEMETERIES

§ 253.5 *Statutory authority.* Under the act approved March 1, 1907 (34 Stat. 1052; 43 U.S.C. 682) the right to purchase land for cemetery purposes is limited to religious, fraternal, and private corporations or associations empowered to hold real estate for cemetery purposes by the laws under which they are organized.

§ 253.6 *Application to purchase and for survey and petition for classification.* A corporation or association shall be allowed to make but one entry under the act of March 1, 1907 (43 U.S.C. 682) of not more than 80 acres of contiguous tracts by government subdivisions of nonmineral, unreserved and unappro-

priated public land, including public land in Alaska.

If the public surveys have not been extended over the land sought to be entered, the application to purchase shall also request a special survey of the exterior lines of the tract desired, describing the topographical character of the land and its area and geographical location as accurately as possible. Such tracts must be as nearly as practicable in a rectangular form and after the survey and plat thereof have been made, they must be approved by the Supervisor of Surveys, accepted by the General Land Office and filed in the district land office. The cost of such surveys will be paid for out of the current appropriation for "surveying the public lands" and the deputies employed will report whether the land is mineral in character.

An application which is not based upon a claim initiated prior to the general withdrawal orders of November 26, 1934 (43 CFR 297.11) and February 5, 1935 (43 CFR 297.12), as the case may be, must be accompanied by a petition for classification of the land under section 7 of the Taylor Grazing Act of June 28, 1934 (48 Stat. 1269) as amended by the act of June 26, 1936 (49 Stat. 1976; 43 U.S.C. 315f), in the manner prescribed by 43 CFR, Part 296.

§ 253.7 *Publication, proof and payment.* After classification of the land for cemetery purposes, proof must be furnished satisfactorily showing:

(a) Publication of notice of intention to make entry in accordance with § 106.18.¹

(b) The official character of the officer or officers applying on behalf of the association or corporation to make the entry, and his or their express authority to do so conferred by action of the association.

(c) The due incorporation and organization and date thereof of the association or corporation and its location and address, by a copy of the record, certified by the officer having charge thereof. The law under which it is organized and by which it derives its authority to hold real estate for cemetery purposes must also be cited.

(d) By the testimony of the applicant and two of the advertised witnesses that the land applied for is nonmineral, vacant and unappropriated public land.

Payment for the land must be made after proof has been accepted, at such price per acre as shall be determined by the Commissioner of the General Land Office, provided that in no case shall the price be less than \$1.25 per acre.

§ 253.8 *Entry in corporate name; reversionary clause.* Entry under the act of March 1, 1907, must issue to the association or corporation in its corporate name, and the granting clause in the certificate shall state that the patent to be issued for the tract described is "for cemetery purposes, subject to reversion to the United States should the land or any part thereof be sold or cease to be

¹ This section requires that if the Register designates a daily paper, the notice should be published in the Wednesday issue for five consecutive weeks; if weekly, in five consecutive issues, and if semiweekly, in either issue for five consecutive weeks.

used for the purpose' in said act provided."

Regulations superseded. These regulations supersede the regulations under Circular 1122 of April 27, 1927 (52 L.D. 106) and §§ 253.1 to 253.8 of Title 43 of the Code of Federal Regulations based thereon.

FRED W. JOHNSON,
Commissioner.

Approved: May 26, 1943.

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 43-8916; Filed, June 1, 1943;
2:38 p. m.]

[Circular 1085a]

PART 254—RECREATIONAL SITES

ACQUISITION OR USE OF PUBLIC LANDS BY STATES, COUNTIES, OR MUNICIPALITIES FOR RECREATIONAL PURPOSES

Sec.

- 254.1 Statutory authority.
- 254.2 Lands subject to disposition.
- 254.3 Applications.
- 254.4 Action on applications.
- 254.5 Reports of regional field examiner and of Chief Forester, O. and C. Lands.
- 254.6 Cooperation with the National Park Service.
- 254.7 Evidence required with applications for exchange; payments for lands classified as subject to sale or lease.
- 254.8 Mineral reservation and forfeiture provision in patents; disposition of minerals.
- 254.9 Disposition of proceeds from sales or leases.

AUTHORITY: Secs. 254.1 to 254.9, inclusive, issued under 44 Stat. 741, 45 Stat. 429; 43 U.S.C. 869, 869a.

ACQUISITION OR USE OF PUBLIC LANDS BY STATES, COUNTIES, OR MUNICIPALITIES FOR RECREATIONAL PURPOSES

§ 254.1 *Statutory authority.* By the Act of June 14, 1926 (44 Stat. 741; 43 U.S.C. 869), the Secretary of the Interior is authorized, in his discretion, to make preliminary withdrawals for classification and to sell or lease unreserved nonmineral public lands to States, counties, or municipalities for recreational purposes. The acquisition of such lands by States as recreational sites through exchange is also authorized. The Act of April 13, 1928 (45 Stat. 429; 43 U.S.C. 869a), extended the provisions of the said Act of June 14, 1926, to re-vested Oregon & California Railroad and Coos Bay Wagon Road grant lands under certain conditions. These lands are referred to in this part as re-vested lands.

In view of the provisions of the Act of August 28, 1937 (50 Stat. 874), the re-vested lands may not now be purchased or acquired through exchange under the Act of April 23, 1928. They may, however, in proper cases, be leased under the Act of April 23, 1928, for recreational purposes.

The preliminary withdrawals will not be made where the lands are included in the general withdrawals for classification made by Executive Orders No. 6910 of November 26, 1934, and No. 6964 of February 5, 1935, as amended, or are within grazing districts.

§ 254.2 *Lands subject to disposition.* Upon the filing of a proper application therefor, unreserved nonmineral public lands, surveyed or unsurveyed, exclusive of those situated in the Territory of Alaska, and not desired for Federal administration, may be withheld from appropriation in aid of the classification and disposition or use authorized by the Act. The land must be surveyed before title may be acquired. The period during which the lands will be so withheld will depend upon the good faith shown by the applicants in prosecuting the necessary preliminary work in connection with the recreational project involved.

§ 254.3 *Applications.* Applications should be filed in duplicate in the proper district land office, should describe the land by legal subdivisions, if surveyed, or by metes and bounds in conformity with § 101.6, if unsurveyed, and contain a statement that the area is unoccupied and nonmineral and chiefly valuable for recreational purposes. Applications for lands affected by Executive Orders No. 6910 of November 26, 1934, and No. 6964 of February 5, 1935, as amended, or within grazing districts, may be considered only when accompanied by petition for classification, as provided for in Part 296 of this chapter.

Applications should set forth the plan of recreational development proposed, giving details as to any contemplated improvements, and state whether acquisition is sought through exchange or purchase, or whether a lease is desired. They should contain proof or a citation of the authority of the official or officials signing the application to act for the State or county when a State or county recreational project is involved, or, when a municipal project is concerned, of the authority of the signing official or officials to act for the town or city. Under the terms of the law, all applications by municipalities must be approved by the duly constituted State or county officers. If acquisition through exchange is sought, the application of the State should contain a description of the State land proffered as a basis therefor, and state under what grant title thereto was acquired, since the law provides that only lands granted to a State by Congress may be accepted in exchange.

No fixed forms of application have been prepared, but these instructions should be followed as nearly as possible. The application of a State for an exchange should conform so far as applicable to the form used by the State in making application for indemnity for losses in its school grant, where the land tendered as a basis has been granted to the State by the United States for school or other purposes, and has thereafter remained the property of the State. The offered and selected lands must be described in terms of the public land surveys.

§ 254.4 *Action on applications.* Upon receipt in the proper district land office of a duly executed application, the Register will assign a current serial number and at once forward it, in duplicate, to the General Land Office with a report as to

the status of the land as shown by the records of his office.

§ 254.5 *Reports of regional field examiner and of Chief Forester, O. and C. Lands.* Upon receipt of such an application, the regional field examiner will, if necessary, be instructed to cause an examination to be made to determine whether the land is nonmineral and chiefly valuable for recreational purposes. When an exchange is proposed, the examination will also determine the comparative values of the public and State lands involved. In order that the Department may determine a proper charge in case purchase or lease is desired, the regional field examiner will ascertain and report what is a fair and reasonable price per acre or annual rental for the land, taking into consideration the public purpose for which it is to be used.

When an application is filed for the leasing of any re-vested lands, the Chief Forester, O. and C. Lands, at Portland, Oregon, will be instructed to submit a report and recommendation thereon, and the regional field examiner may also, if necessary, be directed to report upon the land.

§ 254.6 *Cooperation with the National Park Service.* In furtherance of the purposes of the Act of June 23, 1936 (49 Stat. 1894; 16 U.S.C. 17k), authorizing the Secretary of the Interior to aid the States and political subdivisions thereof in planning recreational areas, copies of the requests for field examinations will be sent to the National Park Service. The field examiners will obtain from the regional offices of that Service any available information concerning the recreational project involved. Upon receipt of the reports of the field examinations, copies thereof will be sent to the Director of the National Park Service for consideration and recommendation.

The Commissioner of the General Land Office will forward the reports and the National Park Service recommendation to the Secretary of the Interior with a recommendation, and thereafter will take such further action as may be necessary.

§ 254.7 *Evidence required with applications for exchange; payments for lands classified as subject to sale or lease.* In the case of an application for exchange, if the land has been classified as subject thereto for recreational use, a deed of relinquishment of the base land must then be executed by the proper State officer or officers and should be submitted for examination without being recorded. The deed must be accompanied by a certificate of the officer, or officers, of the State charged with the care and disposal of the land reconveyed, and a certificate by the proper county recorder, showing that it has not been alienated or contracted to be alienated in any way by the State, that it is not in the possession, or subject to the claim, of any third party under any law or permission of the State, and that except for such conveyance the title of the State is unimpaired. In case any of the lands have been sold by the State and title again acquired, an abstract of such title

will be necessary. Title insurance issued by a company which is acceptable to the Department of the Interior may be furnished in lieu of an abstract of title, provided the policy is free from conditions and stipulations not acceptable to the Department of the Interior. If the exchange is found satisfactory, the deed will be accepted and the selection approved, subject to the recording of the deed, which will be returned for that purpose.

If the lands have been classified as subject to sale or lease for recreational purposes, the applicant shall then be called on to tender the amount fixed as the purchase price or annual rental. Publication of notice of applications to purchase, and of State exchanges, will be required in accordance with the practice governing sales of public lands and State indemnity selections, respectively. So far as applicable, the general regulations of the Department relating to the execution of contracts will be followed in the preparation of leases issued. Any re-vested lands leased for recreational purposes shall thereafter be exempt from any further claim by the county wherein such leased lands are located for payment of moneys, the equivalent of taxes, as authorized under the Acts of August 28, 1937 (50 Stat. 874), and May 24, 1939 (53 Stat. 753). During the existence of any such lease, the timber on the land will not be sold.

Applications presented under the regulations in this part not in substantial conformity with the requirements herein made and not accompanied by the prescribed proof will be rejected subject to appeal or curing the defect where possible.

§ 254.8 *Mineral reservation and forfeiture provision in patents; disposition of minerals.* Any patent or lease issued to a State, county, or municipality will contain the mineral reservation and forfeiture provision prescribed by the law. No provision is made at this time for development of the reserved mineral deposits in lands to be conveyed or leased under the terms of this law, and until such regulations shall have issued the reserved deposits will not be subject to disposition.

§ 254.9 *Disposition of proceeds from sales or leases.* The proceeds from sales or leases under the general law will be credited to Sales of Public Lands except in those instances in which other provision has been made in the laws authorizing disposition of the land. All moneys received from or on account of any re-vested lands leased under the Act of April 13, 1928 (45 Stat. 429; 43 U.S.C. 869a), shall be applied in the manner prescribed by the Acts of June 9, 1916 (39 Stat. 218), and February 26, 1919 (40 Stat. 1179), as amended by the Acts of August 28, 1937 (50 Stat. 874), and May 24, 1939 (53 Stat. 753).

Regulations superseded. The foregoing regulations supersede §§ 254.1 to 254.8, inclusive, of Title 43 of the Code

of Federal Regulations (Circular 1085, July 16, 1931, 53 I.D. 408).

FRED W. JOHNSON,
Commissioner.

Approved: May 28, 1943.

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 43-8917; Filed, June 1, 1943;
2:33 p. m.]

[Circular 1555]

PART 285—TIMBER AND STONE ENTRIES

In order to show the change in procedure, due to the establishment by the Secretary of the Interior by Order No. 1639 of January 17, 1942, of a Branch of Field Examination in the General Land Office, the regulations relating to timber and stone entries, contained in Part 285 of Title 43, as amended by Circular No. 1474 approved July 8, 1940, are further amended as follows:

Section 285.11 is amended by deleting from the second paragraph thereof the words "Division of Investigations," and substituting therefor the words "Branch of Field Examination," and also by deleting the words "special agent" and substituting therefor the words "field examiner."

Section 285.12 is amended by deleting the words "special agent" and substituting therefor the words "field examiner."

Section 285.13 is amended by deleting the words "special agent in charge" wherever they occur and substituting therefor the words "regional field examiner." This section is also amended by deleting the words "through the Director, Division of Investigations."

Section 285.14 is amended by deleting the words "special agent in charge" and "special agent" wherever they occur and substituting therefor the words "regional field examiner" and "field examiner," respectively. This section is also amended by deleting the words "through the Director of Investigations," and the words "and advise the Division of Investigations thereof." This section is further amended by deleting the words "Division of Investigations, which" and substituting therefor the words "regional field examiner, who."

Section 285.18 is amended by deleting the words "Division of Investigations" and "special agent" and substituting therefor the words "Branch of Field Examination" and "field examiner."

FRED W. JOHNSON,
Commissioner.

Approved: May 31, 1943.

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 43-8918; Filed, June 1, 1943;
2:34 p. m.]

[Circular 1550]

EVIDENCE OF TITLE

PART 211—ABSTRACTERS

Section 211.1 is amended to read as follows:

§ 211.1 *Evidence of title.* Evidence of title, when required by the regulations, must be submitted in such form and by such abstractor or company as may be satisfactory to the Commissioner of the General Land Office. A policy of title insurance, or a certificate of title, may be accepted in lieu of an abstract, in proper cases, when issued by a title company. A policy of title insurance when furnished must be free from conditions and stipulations not acceptable to the Department of the Interior. A certificate of title will be accepted only where the certificate is made to the Government, or expressly for its benefit and where the interests of the Government will be sufficiently protected thereby (Opinion of the Solicitor, August 14, 1934, M-27768).

PART 185—GENERAL MINING REGULATIONS

The last paragraph of § 185.56 is revoked.

FRED W. JOHNSON,
Commissioner.

Approved: May 29, 1943.

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 43-8920; Filed, June 1, 1943;
3:29 p. m.]

[Circular 1551]

PART 216—PAYMENTS

The amount of fees allowed to registrars for reducing testimony to writing is fixed by 43 CFR 216.18, which is based on R. S. 2238, paragraphs 10, 11 and 12 (43 U.S.C. 82, paragraphs 8, 9 and 10). Section 216.18 does not contain a complete statement as to the fees which may be charged. Accordingly, the first paragraph of the section is amended to read as follows:

§ 216.18 *Reducing testimony to writing.* In the states of Alabama, Arkansas, Florida, Kansas, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota and Wisconsin, fees for reducing testimony to writing are allowed at the rate of 15 cents for each 100 words, and in the states of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington and Wyoming, fees for reducing testimony to writing are allowed at the rate of 22½ cents for each 100 words, in the following cases:

FRED W. JOHNSON,
Commissioner.

Approved: May 29, 1943.

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 43-8921; Filed, June 1, 1943;
3:29 p. m.]

[Circular 1237b]

PART 244—RIGHTS OF WAY FOR CANALS, DITCHES, RESERVOIRS, WATER PIPE LINES, TELEPHONE AND TELEGRAPH LINES, TRAMROADS, ROADS AND HIGHWAYS, OIL AND GAS PIPE LINES, ETC.

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RIGHTS OF WAY OVER PUBLIC LANDS AND RESERVATIONS FOR TELEPHONE AND TELEGRAPH LINES

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- 244.48 Statutory authority.
- 244.49 Who may file application.
- 244.50 Use of pipe line.
- 244.51 Approval of right-of-way.
- 244.52 Pumping plant site.

AUTHORITY: §§ 244.1 to 244.12a, inclusive, issued under R.S. 161, 453, 2478; 5 U.S.C. 22, 43 U.S.C. 2, 1201.

GENERAL REGULATIONS APPLICABLE TO ALL RIGHTS OF WAY PROVIDED FOR IN THIS PART

§ 244.1 *Application.* No special form of application is required, but it should be filed at the land office for the district in which the land is located, should state the Act invoked and the primary purpose for which the project is to be used. If there is no local land office, the application should be filed with the Commissioner of the General Land Office, Washington, D. C.

§ 244.2 *Showing required of corporations.* Application by a private corporation must be accompanied by a copy of its charter or articles of incorporation, duly certified by the proper State official of the State where the corporation was organized.

A corporation other than a private corporation should file a copy of the law under which it was formed and due proof of organization under the same.

When the project is in a State other than that in which the corporation was incorporated, it must submit a certificate of the Secretary of State or other proper official of the State in which the project is located, showing compliance with the laws relating to foreign corporations.

§ 244.3 *Showing required of individuals or association of individuals.* Application by an individual under any of the Acts, except the Act of March 3, 1891,

and the Acts amendatory or supplementary thereto, must be accompanied by affidavit of citizenship if the applicant is native born, or if a naturalized citizen, by proof of naturalization. Application by an association must be accompanied by a certified copy of the articles of association, if any; if there be none, the fact must be stated over the signature of each member of the association. Each member must furnish evidence of citizenship where it would be required if he were applying individually.

§ 244.4 *Evidence which must accompany application.* Each application must be accompanied by the following data:

(a) A map prepared on tracing linen, in duplicate, showing the survey of the right-of-way or site, properly located with respect to the public land surveys so that said right-of-way or site may be accurately located on the ground by any competent engineer or land surveyor. The map should comply with the following requirements:

The scale should be 2,000 feet to the inch for canals, ditches, pipe lines, transmission lines, etc., and 1,000 feet to the inch for reservoirs, except where a larger scale is required to represent properly the details of the proposed developments, in which case the scales should be 1,000 feet to the inch and 500 feet to the inch, respectively.

Courses and distances of the center line of the right-of-way or traverse line of the reservoir should be given; the courses referred to the true meridian either by deflection from a line of known bearing or by independent observation, and the distances in feet and decimals thereof. Station numbers with plus distances at deflection points on the traverse line should be shown.

The initial and terminal points of the survey should be accurately connected by course and distance to the nearest corner of the public-land surveys, unless that corner is more than 6 miles distant, in which case the connection will be made to some prominent natural object or permanent monument, which can be readily recognized and recovered. The station number and plus distance to the point of intersection with a line of the public-land surveys should be ascertained and noted, together with the course and distance along the section line to the nearest existing corner, at a sufficient number of points throughout the township to permit accurate platting of the relative position of the right-of-way to the public-land survey.

All subdivisions of the public-land surveys within the limits of the survey should be shown in their entirety, based upon the official subsisting plats with the subdivisions, section, township, and range clearly marked.

The width of the canal, ditch, or lateral at highwater line should be given and if not of uniform width, the location and amount of the change must be definitely shown. In the case of a pipe line, the diameter should be given. For reservoirs, the capacity in acre-feet, the area within the highwater line, the source of the water supply, and the location and height of the dam must be shown.

Each copy of the map should bear upon its face an affidavit of the engineer who makes the survey and the certificate of the applicant. The affidavit and certificate referred to are embodied in forms 1 and 2, which are made a part hereof and which should be modified so as to be appropriate to the Act invoked and the nature of the project.

Whenever it is found that a public-land survey corner will be destroyed or rendered inaccessible by reason of the proposed devel-

opment, at least two permanent, marked witness monuments should be established at suitable points preferably on the surveyed lines. A brief description of the witness monuments and the connecting courses and distances to the original corner should be shown.

(b) Evidence of water right, if the project involves the storage, diversion, or conveyance of water. Control and jurisdiction over the appropriation of water is vested in the State authorities. The applicant, therefore, must file evidence, obtained from the proper State official, that he has the right to appropriate the water to be stored, diverted, or conveyed.

§ 244.5 *Stipulation and showing required when Oregon and California Railroad and Coos Bay Wagon Road grant lands are involved.* All applications for rights-of-way for the construction and operation of any project over Oregon and California Railroad lands, title to which was revested in the United States by the Act of June 9, 1916 (39 Stat. 218), and reconveyed Coos Bay Wagon Road lands, Act of February 26, 1919 (40 Stat. 1179), must be accompanied by a statement showing the amount of merchantable timber, if any, to be cut, removed or destroyed in the construction of the project works, together with a duly executed stipulation agreeing to deposit with the Chief Forester, Oregon and California Revested Lands Administration, in advance of construction, such sum of money as may be determined by him to be the full stumpage value of the timber to be so cut, removed or destroyed. Such applications should also contain an affirmative showing that favorable action thereon will not adversely affect or impair watershed protection, stream-flow regulation, and other conservation features enumerated in the Act of August 28, 1937 (50 Stat. 874), amending the Acts of June 9, 1916, and February 26, 1919.

§ 244.6 *Stipulation and bond required when a proposed or existing national forest is involved.* Whenever a right-of-way is through or in a national forest, or any area withdrawn for inclusion within a national forest, the applicant must enter into such stipulations and execute such bond as the Forest Service may require for the protection of such existing or proposed national forest. No construction will be allowed in an existing or proposed national forest until an application for right-of-way has been regularly filed and approved by the Secretary of the Interior, or unless permission for such construction work has been specifically given.

§ 244.7 *National parks and monuments; effect of Act of March 3, 1921 (41 Stat. 1353; 16 U.S.C. 797).* The Act of March 3, 1921, provides, inter alia:

That hereafter no permit, license, lease, or authorization for dams, conduits, reservoirs, power houses, transmission lines, or other works for storage or carriage of water, or for the development, transmission, or utilization of power within the limits as now constituted of any national park or national monument, shall be granted or made without specific authority of Congress.

§ 244.8 *Action on application; approved permit or easement.* When an application is filed, the register will place on the papers and accompanying maps, the serial number, the name of the office, and the date of filing. Notations will be made on the district land office records opposite each unpatented tract and such patented tracts as have been acquired by the United States, affected by the right-of-way or site, giving serial number, date of filing and the name of the applicant. The register will certify on each map over his written signature, that unpatented land is affected. The application will then be transmitted to the General Land Office, together with a status report by the register of the lands affected. If no unpatented land or patented land acquired by the United States is affected, the register will return the map and duplicate to the applicant with notice of that fact.

Upon receipt of the application in the General Land Office, it will be noted on the records of that office and examined as to its legal and factual sufficiency. In the consideration of the application the General Land Office will request the Geological Survey and the Bureau of Reclamation to make reports where the right-of-way or site would involve the diversion or storage of water and will request reports from the Geological Survey in connection with all applications for rights-of-way under section 28 of the Mineral Leasing Act as amended. The General Land Office will in connection with all right-of-way applications affecting lands in withdrawals or reservations, request reports from the Bureau or Department having control and administration of such reservation lands. In case of Indian lands, the General Land Office will call upon the Commissioner of Indian Affairs for report and recommendations, so that the interest of the Indians may be protected and such compensation for the land or right-of-way may be secured as the law and facts may warrant.

Applications which do not conform with the law or regulations or the approval of which would be incompatible with the public or Government interests will be rejected by the General Land Office with the right of appeal. Where the application is complete and in conformity with the law and regulations and all required reports have been obtained, the General Land Office will prepare and submit to the Department with recommendation a draft of permit or easement in triplicate, or the map as the case may be, for approval, except where proposed permits under the Acts of January 21, 1895 (28 Stat. 635; 43 U.S.C. 956), and February 15, 1901 (31 Stat. 790; 43 U.S.C. 959), and easements under the Act of March 4, 1911 (36 Stat. 1253; 43 U.S.C. 961), involve no lands within national parks, Indian or other reservations of the United States. Permits or easements in such cases shall be issued by the Commissioner of the General Land Office.

Upon approval by the Commissioner or the Department, of the map, permit or easement, the General Land Office

will note the fact of such approval on its records and will transmit to the register of the district land office the duplicate copy of the approved map, or in case of a written permit or easement the duplicate original and a copy thereof, together with one copy of all maps of location, whereupon the register will note the approval on the records of his office and will transmit to the permittee or grantee the duplicate original permit or easement, retaining the copy and maps of location for the files of his office. The General Land Office will retain the original approved map, permit or easement for its files and will transmit two copies thereof to the Office of Indian Affairs where Indian lands are affected, and one copy to such other Bureau or Department having control and administration of the lands affected, and will transmit the triplicate original permit or easement to the General Accounting Office, where payment of a rental charge for use of public lands is required.

§ 244.9 *Proof of construction; penalty for failure to construct.* A period of 5 years from the date of the approval of a permit or easement is usually allowed for construction. Upon completion of construction, proof thereof should be filed in the district land office, consisting of an affidavit of the person in charge of the construction, and the certificate of the permittee or grantee. The affidavit and certificate are embodied in forms 3 and 4, which are made a part hereof and should be modified so as to be appropriate to the Act and to the nature of the project. If, in constructing, there has been a substantial deviation from the location shown on the original map, the party in interest must file a duly executed relinquishment of the unused portion of the right-of-way or site, accompanied by a map of amended location of the right-of-way or site of the project as actually constructed. The map of amended location must be prepared in accordance with § 244.4 (a). The relinquishment may be prepared so as to become effective upon departmental approval of the amended location.

Upon expiration of the 5-year period allowed for construction, if there has been no construction, grants of easements for rights-of-way or sites are subject to cancellation by the Secretary of the Interior or through court proceedings. A permit may be canceled by the Commissioner of the General Land Office for nonconstruction or abandonment.

§ 244.10 *Construction in advance of permit or easement; trespass.* Where construction of project works is desired over and through Interior Department lands in advance of approval of a permit or easement for the right-of-way or site, authority for such construction may in the discretion of the Secretary be granted by him upon a satisfactory showing of the necessity therefor, if found not incompatible with the public or Government interest, provided the applicant agrees to make full and prompt compliance with all requirements of the Department as conditions precedent to the approval of the permit or easement,

and such construction is done at the applicant's own risk. Application for such authority should be filed with the officer of the Interior Department having supervision of the lands affected, who will submit the record with appropriate report and recommendation to the Secretary.

Any occupancy or use of public lands without proper authority will subject the person occupying or using the land to prosecution for trespass.

§ 244.11 Assignment of permit or easement. Proposed assignment of a permit or easement acquired under any of the Acts, except the Act of March 3, 1891, must be submitted in triplicate to the Commissioner of the General Land Office for approval; must be accompanied by the same showing of qualification as is required of applicants for permit or easement; and must be supported by a stipulation that the assignee agrees to comply with and be bound by the terms and conditions of the permit or easement. No assignment will be recognized unless and until approved by the Secretary of the Interior, or the Commissioner of the General Land Office, as the case may require.

§ 244.12 Disposition of property on termination of permit or grant. Upon the termination of a permit or grant by expiration or by prior cancellation, in the absence of any agreement to the contrary, if all moneys due the Government thereunder have been paid, the permittee or grantee will be allowed six months or such additional time as may be granted in which to remove from the right-of-way or site all property or improvements of any kind owned or controlled by him; but if not removed within this period, all such property and improvements shall become the property of the United States.

§ 244.12a Appeals. A party aggrieved by any action of the Commissioner of the General Land Office may appeal to the Secretary of the Interior, pursuant to the Rules of Practice (43 CFR, Part 221).

AUTHORITY: § 244.13 issued under 31 Stat. 790, 36 Stat. 1253, 28 Stat. 635, sec. 4, 33 Stat. 628, sec. 28, 49 Stat. 678; 43 U. S. C. 959, 961, 956; 16 U. S. C. 524; 30 U. S. C. 185

COMPENSATION FOR THE USE AND OCCUPANCY OF PUBLIC LANDS AND RESERVATIONS FOR RIGHTS-OF-WAY OR SITES

§ 244.13 Rental charges — (a) Basic charges. Unless otherwise ordered by the Secretary of the Interior, the charge for use and occupancy of public and reservation lands for rights-of-way for telephone and telegraph lines, water pipe lines, ditches or canals under the Act of February 15, 1901, (31 Stat. 790; 43 U.S.C. 959); telephone and telegraph lines under the Act of March 4, 1911 (36 Stat. 1253; 43 U.S.C. 961); tramroads under the Act of January 21, 1895 (28 Stat. 635; 43 U.S.C. 956); oil and gas pipe lines under section 28 of the Act of February 25, 1920 (41 Stat. 449), as amended by the Act of August 21, 1935 (49 Stat. 678; 30 U.S.C. 185); and water pipe lines, ditches, flumes, tunnels or canals under section 4, of the Act of February 1, 1905 (33 Stat. 628; 16 U.S.C.

524), shall be at the rate of five dollars (\$5) per mile or fraction thereof per annum.

The charge for use and occupancy of public and reservation lands for reservoirs, dams, water plants, well sites, etc., under the Act of February 15, 1901; sites for pumping stations or other structures authorized under section 28 of the Mineral Leasing Act, as amended; and for dams, reservoirs and water plant sites under section 4 of the Act of February 1, 1905, shall be based on the value of the land and the use to which it is to be put, but in no case will the minimum charge be less than five dollars (\$5) per annum.

(b) *Exceptions.* Except as to Indian lands, no charge will be required for the use and occupancy of public or reservation lands under a permit or easement authorizing such use and occupancy exclusively for Municipal purposes, for irrigation, or non-profit cooperative projects. As to Indian lands, the imposition of the rental charges specified in § 244.13 (a) shall be optional and not mandatory.

(c) *When payment of rental charge shall be made; penalty for non-payment.* Except as to Indian lands, the first payment shall be made with the application and shall be the compensation for a full year computed under the rates specified in § 244.13 (a), but any excess of such payment over the pro rata compensation for the unexpired portion of the calendar year in which the permit or easement is approved will be credited to the permittee or grantee as a part of his payment for the first full calendar year. Where the application is for a reservoir, dam, water plant or well site, the sum of five dollars (\$5), the minimum charge specified for such cases, shall be deposited with the application.

The rental charge shall be paid annually on or before the first day of January. Payment should be made to the Register of the district land office in cash or by check or money order made payable to the Treasurer of the United States. If the permittee or grantee shall fail to pay the rental charge, and such default shall continue for thirty days after the first day of January, the permit may be canceled, or in the case of the grant, the same will be subject to forfeiture. After default has occurred, no structures, buildings, or other equipment may be removed from the right-of-way except upon written permission first obtained from the Secretary of the Interior.

(d) *Revision of rates.* At any time not less than five years after the approval of the permit or grant of easement, or after the last revision of rates per year thereunder, the Secretary of the Interior may review such rates and impose such new rates per year as he may deem reasonable and proper.

(e) *Disposition of moneys received for rentals.* All moneys received as rentals for permits or easements shall be deposited for credit to the account of the Treasurer of the United States. The moneys shall not be applied by the register until notice has been received of the approval of the permit or easement for which the rental was paid. Rentals for public lands, except for rights-of-

way and occupancy authorized by section 28 of the Mineral Leasing Act, shall be applied as "Rights-of-Way on and Occupancy of Public Lands." Rentals for oil and gas pipe lines and sites for pumping stations or other structures authorized by section 28 of the Mineral Leasing Act, as amended, shall be applied as "Receipts under Mineral Leasing Act of February 25, 1920." Rentals for reservation lands shall be applied to the credit of the related receipt account or fund.

AUTHORITY: §§ 244.14 to 244.21, inclusive, issued under R.S. 161, 453, 2478; 5 U.S.C. 22, 43 U.S.C. 2, 1201.

RIGHTS-OF-WAY THROUGH PUBLIC LANDS AND RESERVATIONS FOR CANALS, DITCHES, AND RESERVOIRS

§ 244.14 Statutory authority. Section 18 of the Act of March 3, 1891 (26 Stat. 1101), as amended by the Acts of March 4, 1917 (39 Stat. 1197), and May 28, 1926 (44 Stat. 668; 43 U.S.C. 946) authorizes the Secretary of the Interior to grant rights-of-way for irrigation and drainage purposes to the extent of the ground occupied by the water of any reservoirs and any canals and laterals and 50 feet on each side of the marginal limits thereof and such additional right-of-way as may be deemed necessary for the proper operation and maintenance of said reservoirs, canals, and laterals.

Section 19 of the Act of March 3, 1891 (26 Stat. 1102; 43 U.S.C. 947), provides for the filing of maps by applicants desiring to secure the benefits of said Act; that upon the approval thereof by the Secretary of the Interior, the same shall be noted upon the records and thereafter all lands affected by such right-of-way shall be disposed of subject to such right-of-way.

Section 20 of the Act of March 3, 1891 (26 Stat. 1102; 43 U.S.C. 948), provides that this Act shall apply to all canals, ditches, or reservoirs heretofore or hereafter constructed, whether by corporations, individuals, or association of individuals, on the filing of the certificates and maps as therein provided; that if any section of the project is not completed within 5 years after location, the right-of-way granted shall be forfeited as to the uncompleted canal, ditch, or reservoir, to the extent that the same is not completed at the date of forfeiture.

Section 21 of the Act of March 3, 1891 (26 Stat. 1102; 43 U.S.C. 949), provides that nothing in this Act shall authorize the occupancy of such right-of-way except for the purpose for which the grant is made, and then only so far as may be necessary for the construction, maintenance, and care of the project.

§ 244.15 Pipe lines, flumes and conduits included; use of materials on adjacent lands. The Act of March 3, 1891, as amended, is applicable to rights-of-way for pipe lines, flumes, or other conduits, although they are not specifically mentioned in the Act, if water is conveyed primarily for irrigation or drainage purposes.

Material on adjacent lands: The word "adjacent", as used in section 18 of the Act, in connection with the right to take material for construction from the pub-

lic lands, must be construed according to the conditions of each case (28 L.D. 439). The right extends only to construction, and no public timber or material may be taken or used for repair or improvements (14 L.D. 566). These decisions were rendered under the Railroad Right-of-Way Act of March 3, 1875 (18 Stat. 482; 43 U.S.C. 934) and are applied to the Act of March 3, 1891, since the wording with respect to the use of material is the same.

§ 244.16 *Use subsidiary to main purpose of irrigation.* Section 2 of the Act of May 11, 1898 (30 Stat. 404; 43 U.S.C. 951), authorizes the use of rights-of-way granted under the Act of March 3, 1891, for purposes subsidiary to the main purpose of irrigation.

§ 244.17 *Caretaker's building sites.* The Act of March 1, 1921 (41 Stat. 1194; 43 U.S.C. 950), authorizes the Secretary of the Interior, except as to lands within national forests, to grant permits or easements for not to exceed 5 acres of ground adjoining the right-of-way at each of the locations, to be determined by the Secretary of the Interior, to be used for the erection thereon of dwellings or other buildings or corrals for the convenience of those engaged in the care and management of the works provided for by the Act of March 3, 1891, as amended.

§ 244.18 *Showing required for additional right-of-way.* The Act of May 28, 1926 (44 Stat. 668; 43 U.S.C. 946), amended section 18 of the Act of March 3, 1891, so as to authorize, if needed, right-of-way additional to the 50 feet allowed by the section for operation and maintenance of reservoirs, etc. To obtain such additional right-of-way, explanatory showing must accompany the application. This should consist of an affidavit by the applicant's engineer or surveyor setting forth succinctly the extent of the additional right-of-way required and the necessity therefor. The additional right-of-way should also be shown graphically by lateral limit lines on the map filed in connection with the application. If additional right-of-way is wanted only for portions or sections of the reservoirs, canals, ditches, or laterals, the termini thereof should be fixed by engineer's survey stations in addition to the lateral limit lines.

§ 244.19 *Nature of grant; settlement on right-of-way land.* The act of March 3, 1891, does not convey an estate in fee in the lands used for the right-of-way. The right granted is in the nature of an easement, a right of use only, the fee title remaining in the United States. All persons settling on a tract of public land, to part of which right-of-way has attached for a canal, ditch, or reservoir, etc., take the land subject to such right-of-way, and at the total area of the subdivision entered, there being no authority to make deductions in such cases. If a settler has a valid claim to land, existing at the date of filing of the map of definite location, his right is superior, and he is entitled to such reasonable measure of damages for right-of-way as may be determined by agreement or

by the courts, the question being one that does not fall within the jurisdiction of this Department.

§ 244.20 *Procedure when unsurveyed land is involved.* Maps, filed under the said Act, as amended, showing canals, ditches, reservoirs, etc., lying partly upon unsurveyed land can be approved if the application and accompanying maps conform to these regulations, but the approval will only relate to that portion of the right-of-way traversing the surveyed land.

Maps showing canals, ditches, reservoirs, etc., lying wholly on unsurveyed lands may be received and placed on file in the General Land Office and the local land office of the district in which the land is located, for general information. The date of filing will be noted thereon; but the maps will not be submitted to nor approved by the Secretary of the Interior, as the Act makes no provision for the approval of any but maps showing locations on surveyed lands. The filing of such maps will not dispense with the filing of maps after the survey of the lands and within the time specified in the Act, and if the maps are regular in all respects they will receive the Secretary's approval.

§ 244.21 *Segregated reservoir sites.* The Act of February 26, 1897 (29 Stat. 599; 43 U.S.C. 664), permits the approval of applications under the Act of March 3, 1891, for rights-of-way upon reservoir sites reserved under authority of the Act of October 2, 1888 (25 Stat. 526; 43 U.S.C. 662), and August 30, 1890 (26 Stat. 371, 391; 43 U.S.C. 662).

AUTHORITY: §§ 244.22 to 244.30, inclusive, issued under 31 Stat. 790; 43 U.S.C. 959.

RIGHTS-OF-WAY THROUGH PUBLIC LANDS AND RESERVATIONS FOR TELEPHONE AND TELEGRAPH LINES, PIPE LINES, CANALS, DITCHES, WATER PLANTS, ETC.

§ 244.22 *Statutory authority.* The Act of February 15, 1901 (31 Stat. 790; 43 U.S.C. 959), authorizes the Secretary of the Interior, under such regulations as he may fix, to permit the use of rights-of-way through public lands and certain reservations of the United States, for telephone and telegraph lines, pipe lines, canals, ditches, water plants, etc., to the extent of the ground occupied by such canals, ditches, or water plants, or other works permitted thereunder, and not to exceed 50 feet on each side of the marginal limits thereof, or not to exceed 50 feet on each side of the center line of such pipe lines, telephone and telegraph lines, by any citizen, association, or corporation of the United States, where it is intended by such to exercise the use permitted under said Act.

§ 244.23 *Applications which may be submitted under the Act of February 15, 1901.* All applications for permission to use rights-of-way for purposes specified in the Act of February 15, 1901, must be submitted thereunder, except: (a) Where it is sought to acquire a right-of-way for the main purpose of irrigation, as contemplated by sections 18 to 21 of the Act of March 3, 1891 (26 Stat. 1101, 1102; 43 U.S.C. secs. 946-949), and section 2

of the Act of May 11, 1898, the application must be submitted under said Acts, in accordance with the applicable regulations in this part; (b) Applications for rights-of-way for telephone and telegraph lines may be submitted under the Act of March 4, 1911, in accordance with the applicable regulations contained in this part. For regulations governing the development and transmission of electric power issued under the Act of February 15, 1901, see Part 245 of this chapter.

An application may be filed under the Act of February 15, 1901, for a stock-watering reservoir site. An application under the Act for a "water plant" site or for a pipe line right-of-way may include an area for a well to supply the water; but if, because the lands affected are within a grazing district established under the grazing Act of June 28, 1934 (48 Stat. 1269; 43 U.S.C. 315-315n, 1171), as amended, or for any other reason, the granting of a permit for a stock-watering reservoir site, or for a water plant site or for a pipe line right-of-way would adversely affect the interests of the Government, the applications therefor will not be allowed. If the lands affected are within a grazing district, an application for a stock-watering reservoir or water well site should be filed under section 4 of said Act of June 28, 1934, with the regional grazier, if the applicant is qualified under the section; and if the reservoir or well is necessary to the care and management of the permitted livestock and primarily for that purpose. Regulations under the said section 4 are contained in 43 CFR 501.14, (a)-(f).

§ 244.24 *No rights acquired prior to filing and approval of application.* Application under the Act of February 15, 1901, for permission to use the desired right-of-way through the public lands and parks designated in the Act must be filed and approved before any rights can be claimed thereunder.

§ 244.25 *Nature of permit; final disposal of land subject to right-of-way.* It is to be specially noted that the Act of February 15, 1901, does not make a grant in the nature of an easement but authorizes a mere permit in the nature of a license, which permit may be canceled by the Commissioner of the General Land Office, at any time subject to the right of appeal. Further, it gives no right whatever, to take from public lands, reservations, or parks adjacent to the right-of-way, any materials, earth, or stone for construction or other purposes. The final disposal by the United States of any tract traversed by a right-of-way permitted under this Act shall not be considered to be a revocation of such permission in whole or in part but such final disposal shall be deemed and taken to be subject to such right-of-way until such permission shall have been specifically revoked in accordance with the provisions of said Act.

§ 244.26 *When application should be filed with Department of Agriculture.* Section 1 of the Act of February 1, 1905 (33 Stat. 628; 16 U.S.C. 472), vested jurisdiction in the Department of Agriculture to pass upon all applications under

any law of the United States providing for the granting of a permission to occupy and use lands in a national forest, provided this occupation or use is temporary, and will in no wise affect the fee or cloud the title of the United States should the reserve be discontinued.

Therefore, when it is desired to obtain permission under the Act of February 15, 1901, to use a right-of-way over public lands wholly within a national forest, an application should be prepared in accordance with the instructions issued by the Department of Agriculture, and should be filed with the officer in charge of such national forest.

In case the applicant desires rights and privileges upon public lands partly within and partly without a national forest, separate application must be prepared, and the one affecting lands within the national forest filed with the forest officer and the other filed in the district land office.

§ 244.27 *Buildings to be platted on map in main drawing and in separate drawing.* When application is made for right-of-way for water plants, the location and extent of ground proposed to be occupied by buildings or other structures necessary to be used in connection therewith must be clearly designated on the map and described on Forms 5 and 6, which are made a part hereof, by reference to course and distance from a corner of the public survey. In addition to being shown in connection with the main drawing, the buildings or other structures must be platted on the map in a separate drawing on a scale sufficiently large to show clearly their dimensions and relative positions. When two or more such proposed structures are to be located near each other, it will be sufficient to give the reference to a corner of the public survey for one of them, provided all the others are connected therewith by course and distance shown on the map. The applicant must also file an affidavit setting forth the dimensions and proposed use of each of the structures, and must show definitely that each one is necessary for a proper use of the right-of-way for the purpose contemplated in the Act.

§ 244.28 *Procedure when unsurveyed land is involved.* Permission may be given under this Act (February 15, 1901), for rights-of-way upon unsurveyed lands, maps to be prepared in accordance with the requirements of § 244.4 (a).

§ 244.29 *Showing required when national park is involved; bond and stipulation.* Whenever a right-of-way is through any of the national parks designated in the Act, for purposes other than those excepted by the Act of March 3, 1921 (§ 244.7), the applicant must show to the satisfaction of the Department that the location and use of the right-of-way for the purposes contemplated will not interfere with the uses and purposes for which the park was originally dedicated, and will not result in damage or injury to the natural conditions of property or scenery existing therein. The applicant must also file such stipulations and bond as may be required by the Director of the National Park Service.

Whenever right-of-way within a park is desired for operations in connection with mining, quarrying, cutting timber or manufacturing lumber, a satisfactory showing must be made of the applicant's right to engage in such operations within the park.

§ 244.30 *Procedure when Indian reservation is involved.* Applications for right-of-way, under the Act of February 15, 1901, all of which are located upon land within an Indian reservation, and applications for right-of-way affecting lands within and without Indian reservations must be filed in the local land office for forwarding to the Commissioner of the General Land Office. Attention is directed to the provisions of section 3 of the Act of March 3, 1901 (31 Stat. 1083; 25 U.S.C. 319), which authorizes the granting of permanent rights-of-way, in the nature of easements, for telegraph and telephone purposes only, through Indian reservations and other Indian lands, upon payment of proper compensation for the benefit of the Indians interested therein. The provisions of the Act of March 3, 1901, and the nature and character of the rights authorized to be secured thereunder differ materially from the provisions of the Act on which §§ 244.22-244.30 are based and the rights authorized to be conferred thereunder. Applicants desiring to secure permanent rights-of-way through Indian reservations or other Indian lands for telegraph and telephone purposes will, therefore, be required to submit their applications under the Act of March 3, 1901 in accordance with the regulations issued thereunder. (The regulations under said Act are contained in 25 CFR Part 256).

AUTHORITY: §§ 244.31 to 244.33, inclusive, issued under 36 Stat. 1253; 43 U.S.C. 961.

RIGHTS-OF-WAY OVER PUBLIC LANDS AND RESERVATIONS FOR TELEPHONE AND TELEGRAPH LINES

§ 244.31 *Statutory authority.* The Act of March 4, 1911 (36 Stat. 1253; 43 U.S.C. 961), authorizes the head of the department having jurisdiction over the lands, under such regulations as may be fixed by him to grant an easement for rights-of-way for a period not exceeding 50 years, over and across public lands and reservations of the United States, for telephone and telegraph lines to the extent of 20 feet on each side of the center line of such telephone and telegraph lines to any citizen, association, or corporation of the United States, where it is intended by such to exercise the use permitted under said Act.

§ 244.32 *Jurisdiction over land.* For the purpose of the Act of March 4, 1911, national parks, Indian reservations, grazing districts, wildlife refuges, and reservations for water power sites, irrigation, classification of lands, or other purposes, created under the withdrawal Act of June 25, 1910 (36 Stat. 847; 43 U.S.C. 141-143), are considered to be under the jurisdiction of the Department of the Interior, military reservations under the jurisdiction of the War Department; and reservations created for the special oc-

cupancy, use, or control of other departments under the jurisdiction of such departments, respectively. The Attorney General on February 3, 1912, advised the Secretaries of the Interior and Agriculture that, for this purpose, national forests are under the jurisdiction of the Department of Agriculture (29 Op. Atty. Gen. 303).

§ 244.33 *Nature of grant.* The Act of March 4, 1911 which authorizes the granting of easements for telephone and telegraph lines for stated periods not to exceed 50 years, follows, as closely as is possible in the accomplishment of its purposes, the language of the Act of February 15, 1901 (31 Stat. 790; 43 U.S.C. 959), which authorizes mere revocable permits or licenses not only for such lines but for other purposes.

AUTHORITY: §§ 244.34 to 244.38, inclusive, issued under sec. 4, 33 Stat. 628; 16 U.S.C. 524.

RIGHTS-OF-WAY THROUGH NATIONAL FORESTS FOR DAMS, RESERVOIRS, WATER PLANTS, DITCHES, FLUMES, PIPES, TUNNELS, AND CANALS, FOR MUNICIPAL OR MINING PURPOSES

§ 244.34 *Statutory authority.* Section 4 of the Act of February 1, 1905 (33 Stat. 628; 16 U.S.C. 524), grants rights-of-way through national forests to citizens and corporations of the United States, for the construction and maintenance of dams, reservoirs, water plants, pipes, tunnels, and canals, for municipal or mining purposes, during the period of the beneficial use, under such rules and regulations as may be prescribed by the Secretary of the Interior, and subject to the laws of the State or Territory in which said forests are respectively situated.

§ 244.35 *When construction may commence.* No construction will be allowed in national forests until an application for right-of-way has been regularly filed in accordance with §§ 244.1-244.13, 244.34-244.38 and has been approved by the Secretary of the Interior, or unless permission has been specifically given.

§ 244.36 *Nature of grant; no right to material.* The right granted under section 4 of the Act of February 1, 1905, is not in the nature of a grant of land, but an easement, giving the right of possession and use of the land for the purpose contemplated by the Act, during the period of beneficial use only. No right, whatever, is given to take any material, earth, or stone for construction or other purposes, nor is any right given to use any land outside of what is actually necessary for the construction and maintenance of the works.

§ 244.37 *Water plant structures.* When application is made for right-of-way for water plants, § 244.27 should be followed, with appropriate changes in the prescribed forms.

§ 244.38 *Procedure when unsurveyed land is involved.* Maps showing reservoirs, canals, water plants, etc., wholly upon unsurveyed lands, will be received and acted upon in the manner prescribed for surveyed lands.

AUTHORITY: §§ 244.39 to 244.41, inclusive, issued under 28 Stat. 635; 43 U.S.C. 956.

RIGHTS-OF-WAY OVER PUBLIC LANDS FOR TRAMROADS, TRAMWAYS, LOGGING, AND OTHER ROADS

§ 244.39 *Statutory authority.* The Act of January 21, 1895 (28 Stat. 635; 43 U.S.C. 956), authorizes the Secretary of the Interior under such regulations as may be fixed by him to permit the use of rights-of-way over the public lands of the United States, for tramroads to the extent of 50 feet on each side of the center line of the tramroad, by any citizen or association of citizens of the United States, engaged in the business of mining, or quarrying or of cutting timber and manufacturing lumber. The Act does not authorize the use of rights-of-way within the limits of any park, national forest, military reservation or Indian reservation.

§ 244.40 *Definition of "tramroads".* This Act has been superseded by other Acts except as to tramroads. "Tramroads" is considered as including "tramways", narrow-gage railroads, and wagon or motor-truck roads to be used in connection with mining, quarrying, logging, and the manufacturing of lumber.

§ 244.41 *Nature of permit.* Permission to use rights-of-way for tramroads over public lands, when granted, only confers a right in the nature of a license and is subject to all the conditions and limitations hereinbefore stated in § 244.25.

CROSS REFERENCE: For temporary logging road permits over revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands and intermingled public lands in Oregon, see 43 CFR 115.114-115.127.

AUTHORITY: §§ 244.42 to 244.44, inclusive, issued under R.S. 161, 453, 2478; 5 U.S.C. 22; 43 U.S.C. 2, 1201.

RIGHTS-OF-WAY OVER PUBLIC LANDS AND RESERVATIONS FOR HIGHWAYS AND ROAD- BUILDING MATERIAL SITES

§ 244.42 *Statutory authority.* Section 17 of the Federal Aid Highway Act of November 9, 1921 (42 Stat. 216; 23 U.S.C. 18), authorizes the transfer of public lands and reservations of the United States to the State highway departments on determination by the Secretary of Agriculture that such lands are necessary for the right-of-way for any highway or forest road or as a source of materials for the construction and maintenance of such roads and highways, and after his request for such transfer with a map showing the portions of such lands which it is desired to appropriate.

This statute provides that if within a period of 4 months after such filing the Secretary of the Interior shall not have certified to the Secretary of Agriculture that the proposed transfer of such lands is contrary to public interest or inconsistent with the object of the Government, or shall have agreed to the appropriation and transfer under conditions which he deems necessary for the protection of the Government's interest, then such land or materials may be appropriated and transferred to the State highway departments for such purposes. If and when the need for any such land or materials shall no longer exist, notice of

that fact must be given by the State highway department to the Secretary of Agriculture, and such lands or materials will immediately revert to the control of the Department of the Interior.

By virtue of Reorganization Plan No. 1, Part 3, (53 Stat. 1426), the Bureau of Public Roads, was transferred to the Federal Works Agency, to be administered as the Public Roads Administration, and all functions of the Secretary of Agriculture relating to the administration of the Bureau of Public Roads were transferred to the Federal Works Administrator.

§ 244.43 *Filing of application.* Where a highway is to be constructed or improved under the provisions of the Act of November 9, 1921, and the amendment or supplements thereto, the State highway departments may take advantage of the provisions of section 17 of said Act by filing application and maps with the register of the land office for the district in which the lands affected are situated, in the manner prescribed by §§ 244.1, 244.4 (a). Application for rights-of-way under section 17 of said Act should be filed by the State highway department of the particular State and not by any political subdivision of the State. No application will be received by the register under said section 17 for rights-of-way for highways or material sites affecting lands entirely within a national forest or an Indian reservation.

§ 244.44 *Action on application.* Upon receipt of an application in the district land office, filed under section 17, of the Act of November 9, 1921, action thereon will be taken in accordance with § 244.8. If unpatented lands or patented lands acquired by the United States are affected, the register will forward the application and map, or set of maps, to the General Land Office and will return the duplicate map, or maps, to the State highway department which will forward them to the Public Roads Administration for determination that the lands are necessary for right-of-way for the highway or road-building material site purpose, as required by the Act.

AUTHORITY: §§ 244.45 to 244.47, inclusive, issued under R.S. 161, 453, 2478; 5 U.S.C. 22, 43 U.S.C. 2, 1201.

RIGHTS-OF-WAY FOR ROADS AND HIGHWAYS OVER PUBLIC LANDS

§ 244.45 *Statutory authority.* R.S. 2477 (43 U.S.C. 932), grants rights-of-way for the construction of highways over public lands, not reserved for public uses.

§ 244.46 *When grant becomes effective.* Grants of rights-of-way referred to in the preceding section becomes effective upon the construction or establishment of highways, in accordance with the State Laws, over public lands, not reserved for public uses. No application should be filed under R.S. 2477, as no action on the part of the Government is necessary.

§ 244.47 *Procedure when reserved land is involved.* When right-of-way is desired for the construction of a highway under R.S. 2477, over public land

reserved for public uses, and such reserved land is under the jurisdiction of the Department of the Interior, an application should be made to the Commissioner of the General Land Office, through the land office for the district in which the land is situated, for consideration of the revocation or modification of the reserve so as to permit the operation of the statute and construction or establishment of the highway. Such application should be accompanied by a map, drawn on tracing linen, with two print copies thereof, showing the location of the proposed highway with relation to the smallest legal subdivisions of the lands affected. The register in such case will not assign a serial number to the application but will transmit it together with the map and print copies to the General Land Office by special letter. Unless and until the reservation shall have been revoked or modified so as to permit the construction of the highway, subject to such terms and conditions, if any, as may be deemed reasonable and necessary for the adequate protection and utilization of the reserve, no rights to establish or construct the highway will be acquired by reason of the filing of such application.

AUTHORITY: §§ 244.48 to 244.52, inclusive, issued under sec. 28, 49 Stat. 678; 30 U.S.C. 185.

RIGHTS-OF-WAY THROUGH PUBLIC LANDS AND RESERVATIONS FOR OIL AND NATURAL GAS PIPE LINES AND PUMPING PLANT SITES

§ 244.48 *Statutory authority.* Section 28 of the Act of February 25, 1920 (41 Stat. 449), as amended by the Act of August 21, 1935 (49 Stat. 678; 30 U.S.C. 185), authorizes the Secretary of the Interior to grant rights-of-way through the public lands, including the forest reserves of the United States, for pipe line purposes for the transportation of oil or natural gas to any applicant possessing the qualifications provided in section 1 of the Act (41 Stat. 437; 30 U.S.C. 22, 48, 181) to the extent of the ground occupied by the said pipe line and 25 feet on each side of the same under such regulations and conditions as to survey, location, application, and use as may be prescribed by him, and upon the express conditions, that such pipe lines shall be constructed, operated, and maintained as a common carrier and that the grantee shall accept, convey, transport, or purchase without discrimination oil or natural gas produced from Government lands in the vicinity of the pipe line in such proportionate amount as the Secretary of the Interior may, after a full hearing, with due notice thereof to the interested parties, and a proper finding of facts, determine to be reasonable.

Section 29 of said Act provides, in part:

That any permit, lease, occupation, or use permitted under this Act shall reserve to the Secretary of the Interior the right to permit upon such terms as he may determine to be just, for joint or several use, such easements or rights-of-way, including easements in tunnels upon, through, or in the lands leased, occupied, or used as may be necessary or appropriate to the working of the same, or of other lands containing the deposits described in this Act, and the treatment and

shipment of the products thereof by or under authority of the Government, its lessees or permittees, and for other public purposes.

§ 244.49 Who may file application. Application may be filed by citizens of the United States, or association of such persons, any corporation organized under the laws of the United States, or of any State or Territory, and municipalities.

§ 244.50 Use of pipe line. The applicant shall state in the application (preferably in the certificate written on the face of the map), the specific use, within the purview of the Act, to which the pipe line is to be put, and any approval of the right-of-way shall be limited to such specific use, unless otherwise stated in the approval. No change in the use of the pipe lines from that authorized by the approval of the right-of-way shall be allowed except with approval in writing first obtained from the Secretary of the Interior, and upon such terms and conditions as the Secretary may prescribe as a prerequisite to the approval of the change of use.

§ 244.51 Approval of right-of-way. The approval of such rights-of-way shall be subject to the express conditions that the use of the pipe line for the transportation of oil, gas or other similar natural products, shall be limited to such products in conformity with State and Federal laws, including laws prohibiting waste.

§ 244.52 Pumping plant site. A site for a pumping station or other structures reasonably necessary to the operation of a pipe line on a right-of-way approved under section 28 of the Act of February 25, 1920, or as amended by the Act of August 21, 1935, may be granted under the section (Op. Atty. Gen. 480).

Regulations superseded. Sections 244.1 to 244.52, inclusive, supersede §§ 244.1 to 244.17, inclusive, and §§ 244.31 to 244.61, inclusive, of Title 43 of the Code of Federal Regulations (Circ. 1237a, May 23, 1938; Cir. 1459, August 7, 1939).

FRED W. JOHNSON,
Commissioner.

Approved: May 31, 1943.

OSCAR L. CHAPMAN,
Assistant Secretary.

FORMS¹

FORMS TO BE PLACED ON MAPS

(FORM 1)

State of _____,

County of _____, ss:

_____, being duly sworn, says he is the chief engineer of (or the person employed to make the survey by) the _____ company; that the survey of said company's (canals, ditches, and reservoirs), as described and shown on this map (being a total length of canals, ditches, and laterals of _____ miles, and a total area

¹ Where necessary, these forms should be modified so as to be appropriate to the applicant (corporation, association, or individual), to the act invoked, and to the nature of the project.

of reservoirs at _____ acres), was made by him (or under his direction) as chief engineer of the company (or as surveyor employed by the company) and under authority, commenced on the _____ day of _____, 19____, and ending on the _____ day of _____, 19____ (and that the survey of the said canals, ditches, laterals, and reservoirs) accurately represents (a proper grade line for the flow of water, and accurately represents a level line, which is the proposed water line of the said reservoir), and that such survey is accurately represented upon this map. (And no lake or lake bed, stream or stream bed, is used for the said (canals, ditches, laterals, and reservoirs) except as shown on this map.)

Sworn and subscribed to before me this
day of _____, 19____.

[SEAL]

Notary Public.

(FORM 2)

I, _____, do hereby certify that I am president of the _____ company; that _____, who subscribed the accompanying affidavit, is the chief engineer of (or was employed to make the survey by) the said company; that the survey of the said (canals, ditches, laterals, and reservoirs), as accurately represented on this map, was made under authority of the company; that the company is duly authorized by its articles of incorporation to construct the said (canals, ditches, laterals, and reservoirs) upon the location shown upon this map; that the said (canals, ditches, laterals, and reservoirs), as represented on this map, was adopted by the company, by resolution of its board of directors, on the _____ day of _____, 19____, as the definite location of the said (canals, ditches, laterals, and reservoirs) and that no lake or lake bed, stream or stream bed is used for the said (canals, ditches, laterals, and reservoirs) except as shown on this map; and that the map has been prepared to be filed for the approval of the Secretary of the Interior, in order that the company may obtain the benefits of (sections 18 to 21, inclusive, of the Act of Congress approved March 3, 1891, entitled "An Act to repeal timber-culture laws, and for other purposes," and section 2 of the Act approved May 11, 1898); and I further certify that the right-of-way herein described is desired for the main purpose of irrigation.

[SEAL OF THE COMPANY] _____
President of the _____ Company.
Attest:

Secretary.

FORMS FOR PROOF OF CONSTRUCTION

(FORM 3)

State of _____,

County of _____, ss:

_____, being duly sworn, says that he is the chief engineer of (or was employed to supervise or check the construction of the canals, ditches, laterals, and reservoirs of) the _____ company; that said (canals, ditches, laterals, and reservoirs) have been constructed under his supervision; that construction was commenced on the _____ day of _____, 19____, and completed on the _____ day of _____, 19____; that the constructed (canals, ditches, laterals, and reservoirs) as aforesaid, conform to the map which received the approval of the Secretary of the Interior on the _____ day of _____, 19____.

Sworn and subscribed to before me this
day of _____, 19____.

(FORM 4)

I, _____, do certify that I am the president of the _____ company; that the (canals, ditches, laterals, and reservoirs) were actually constructed as set forth in the accompanying affidavit of _____, chief engineer (or the person employed by the company in the premises), and on the exact location represented on the map approved by the Secretary of the Interior on the _____ day of _____, 19____; and that the company has in all things complied with the requirements of the Act of Congress, (March 3, 1891, granting rights-of-way for canals, ditches, and reservoirs through the public lands of the United States.)

[SEAL OF COMPANY] _____
President of the _____ Company.
Attest:

Secretary.

FORMS FOR WATER PLANTS ONLY

(Act of February 15, 1901, or February 1, 1905)

(FORM 5)

STATE OF _____,

County of _____, ss:

_____, being duly sworn, says he is the chief engineer of (or the person employed by) the _____ company, under whose supervision the survey was made of the grounds selected by the company for structures for a water plant under the Act of Congress approved February 15, 1901, said grounds (here describe as required by § 244.27); that the accompanying drawing correctly represents the locations of the said structures; and that in his belief the structures represented are actually and to their entire extent required for the necessary uses contemplated by the said Act of February 15, 1901 (31 Stat. 790, (or February 1, 1905)).

Chief Engineer.

Subscribed and sworn to before me this
day of _____, 19____.

[SEAL]

Notary Public.

(FORM 6)

I, _____, do hereby certify that I am the President of the _____ company; that the survey of the structures represented on the accompanying drawing was made under authority and by direction of the company, and under the supervision of _____, its chief engineer (or the person employed in the premises), whose affidavit precedes this certificate; that the survey as represented on the accompanying drawing actually represents the structures required (here describe as required by § 244.27) for water plant, under the Act of Congress approved February 15, 1901 (or Act of February 1, 1905); and that the company, by resolution of its board of directors, passed on the _____ day of _____, 19____, directed the proper officers to present the said drawing to the Commissioner of the General Land Office in order that the company may obtain the use of the ground required for said structures, under the provisions of said Act approved February 15, 1901 (31 Stat. 790, or (February 1, 1905)).

[SEAL OF THE COMPANY] _____
President of the _____ Company.
Attest:

[F. R. Doc. 43-8922; Filed, June 1, 1943;
8:29 p. m.]

[Circular 1558]

PART 289—UNLAWFUL ENCLOSURES OR OCCUPANCY

In order to show the change in procedure, due to the establishment by the Secretary of the Interior by Order No. 1639 of January 17, 1942, of a Branch of Field Examination in the General Land Office, the regulations relating to unlawful enclosures or occupancy, contained in Part 289 of Title 43, are amended as follows:

Section 289.4 is amended by deleting therefrom the words "special agent in charge," and substituting therefor the words "regional field examiner."

Section 289.5 is amended by deleting from the first sentence thereof the words "special agent in charge" and substituting therefor the words "regional field examiner," and also by deleting the words "Director, Division of Investigations, for reference to the." This section is further amended by deleting from the last sentence thereof the words "Director, Division of Investigations," and substituting therefor the words "Commissioner, General Land Office."

Section 289.6 is amended by deleting from the section headnote the words "special agents," and substituting therefor the words "regional field examiner;" also by deleting from the section the words "special agent in charge," and substituting therefor the words "regional field examiner."

Section 289.8 is amended by deleting from the section headnote the words "special agent," and substituting therefor the words "regional field examiner," and by deleting from the section the words "special agent in charge," and substituting therefor the words "regional field examiner." The section is also amended by deleting therefrom the words "one of which will be forwarded to the Director, Division of Investigations, for reference." The section is further amended by deleting from the last sentence thereof the words "Director, Division of Investigations," and substituting therefor the words "Commissioner, General Land Office."

Section 289.9 is amended by deleting therefrom the words "special agent," and substituting therefor the words "field examiner."

Section 289.10 is amended by deleting therefrom the words "special agent in charge," and substituting therefor the words "regional field examiner."

Section 289.11 is amended by deleting therefrom the words "special agents," and substituting therefor the words "field examiners."

Section 289.13 is amended by deleting from the section headnote the words "special agents," and substituting therefor the words "field examiner," and by deleting from the section the words "special agent," and substituting therefor the words "field examiner." The section is also amended by deleting therefrom the words "special agent in charge," and substituting therefor the words "regional field examiner."

Section 289.14 is amended by deleting from the section headnote and the section the words "special agent," and sub-

stituting therefor the words "field examiner." The section is also amended by deleting therefrom the words "special agent in charge," and substituting therefor the words "regional field examiner."

Section 289.15 is amended by deleting therefrom the words "special agent," and substituting therefor the words "field examiner," and by deleting the words "special agent in charge," and substituting therefor the words "regional field examiner."

FRED W. JOHNSON,
Commissioner.

Approved: May 31, 1943.

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 43-8923; Filed, June 1, 1943;
3:29 p. m.]

[Circular 1559]

PART 292—PUBLIC WATER RESERVE

RESERVATION OF PUBLIC LANDS FOR RESERVOIRS FOR WATERING LIVESTOCK

- | | |
|--------|---|
| Sec. | |
| 292.27 | Statutory authority. |
| 292.28 | Petition for classification and declaratory statement. |
| 292.29 | Application by corporation. |
| 292.30 | Action on declaratory statement; size, location, and number of reservoir sites. |
| 292.31 | Time for construction. |
| 292.32 | Map of constructed reservoir. |
| 292.33 | Action by register when map has been filed. |
| 292.34 | Approval of constructed project. |
| 292.35 | Annual proof of maintenance. |
| 292.36 | Procedure when unsurveyed land is involved. |
| 292.37 | Application to fence reservoir; plat required. |
| 292.38 | Action by register on application. |

AUTHORITY: §§ 292.27 to 292.38, inclusive, issued under sec. 1, 29 Stat. 484, 42 Stat. 1437; 43 U.S.C. 952.

RESERVATION OF PUBLIC LANDS FOR RESERVOIRS FOR WATERING LIVESTOCK

§ 292.27 *Statutory authority.* By the Act of January 13, 1897 (29 Stat. 484; 43 U.S.C. 952-955), it is provided that any person, livestock company, or transportation corporation engaged in breeding, grazing, driving, or transporting livestock may construct reservoirs upon unoccupied public lands of the United States, not mineral or otherwise reserved, for the purpose of furnishing water to such livestock, and shall have control of such reservoir, under regulations prescribed by the Secretary of the Interior, and the lands upon which the same is constructed, not exceeding 160 acres, so long as such reservoir is maintained and water kept therein for such purpose.

Section 1 of the Act of January 13, 1897, as amended by the Act of March 3, 1923 (42 Stat. 1437; 43 U.S.C. 952), authorizes the Secretary of the Interior, in his discretion, under such rules, regulations and conditions as he may prescribe, upon application by such person, company, or corporation, to grant permission to fence reservoirs constructed under the Act of January 13, 1897, in order to protect livestock, to conserve water, and to preserve its quality and

conditions: *Provided*, That such reservoir shall be kept open to the free use of any persons desiring to water animals of any kind.

§ 292.28 *Petition for classification and declaratory statement.* Any person, livestock company, or transportation corporation engaged in breeding, grazing, driving, or transporting livestock, desiring to construct a reservoir under the authority of the Act of January 13, 1897, upon unappropriated public lands of the United States, not mineral or otherwise reserved except by E.O. 6910, November 26, 1934, and amendments thereto, and E.O. 6964, of February 5, 1935, as amended, or within a grazing district established under the Act of June 28, 1934 (48 Stat. 1269; 43 U.S.C. 315-315n, 1171), as amended, may file a petition, in duplicate, for the classification of the land involved, together with a declaratory statement, in the district land office for the district in which the land is located in accordance with the instructions contained in §§ 296.1-296.11 (Circ. 1353b, June 29, 1937).

§ 292.29 *Application by corporation.* When the applicant is a corporation there should be filed a copy of its articles of incorporation and proofs of its organization. If these papers are filed with the first declaratory statement made by the company, a reference thereto by its number will be sufficient in any subsequent application by the company.

The declaratory statement must be made under oath and should be drawn in accordance with Form 1, and must contain the following:

(a) The post office address of the applicant; the name of the county in which the reservoir is to be or has been constructed; the description by the smallest legal subdivisions (40-acre tracts or lots) of the land sought to be reserved which under no circumstances must exceed 160 acres; certificate that the land is not occupied or otherwise claimed; certificate that to the best of the applicant's knowledge and belief the land is not mineral or otherwise reserved; statement of the business of the applicant, which statement shall include full and minute information concerning the extent to which he is engaged in breeding, grazing, driving, or transporting livestock, the number and kinds of such stock, the place where they are being bred or grazed, whether within an enclosure or upon unenclosed lands, and also the points from which and to which they are being driven or transported; description of the land owned or claimed by the applicant in the vicinity of the proposed reservoir and statement of its amount; certificate that no part of the land sought to be reserved will be fenced unless written permission is first obtained from the Secretary of the Interior, that all the land will be kept open to the free use of any person desiring to water animals of any kind; and that the lands so sought to be reserved are not, by reason of their proximity to other lands reserved for reservoirs, excluded from reservation by the regulations and rulings of the Land Department.

(b) The location of the reservoir described by the smallest legal subdivision (40-acre tracts or lots), its area in acres, its capacity in gallons, the source from which water is to be obtained for such reservoir, whether there are any streams or springs within 2 miles of the land sought to be reserved; and if so, where.

(c) The numbers, locations, and areas of all other reservoir sites filed upon by the applicant, especially designating those in the county in which the proposed reservoir is located.

§ 292.30 *Action on declaratory statements; size, location, and number of reservoir sites.* When such declaratory statement is filed the register will note thereon the date of filing, the serial number assigned thereto, and will make the usual notations on the records, in pencil, under the designation of "Reservoir Declaratory Statement No. -----", adding the date of the Act. The register will then forward the declaratory statement to the General Land Office with the regular returns, in the usual manner. For the filing of such reservoir declaratory statement the register will be authorized to charge the usual fee (R.S. 2238; 43 U.S.C. 82). In acting upon these statements the following general rules will be applied:

(a) No reservation will be made for a reservoir of less than 250,000 gallons capacity, and for a reservoir of less than 500,000 gallons capacity, not more than 40 acres can be reserved. For a reservoir of 500,000 gallons and less than 1,000,000 gallons capacity, not more than 80 acres can be reserved. For a reservoir of 1,000,000 gallons and less than 1,500,000 gallons capacity, not more than 120 acres can be reserved. For a reservoir of 1,500,000 gallons capacity or more, 160 acres may be reserved. In the case where the water is furnished the livestock by artificial means, such as by windmill, pump, tanks, troughs, etc., the regulations requiring a minimum capacity of 250,000 gallons may be waived upon the claimant's submitting a satisfactory showing that by such artificial means he will be able to furnish sufficient water and provide proper troughs, etc., to properly accommodate all cattle likely to water at the place in question.

(b) Not more than 160 acres shall be reserved for this purpose in any section.

(c) Not more than 160 acres shall be reserved for this purpose in one group of tracts adjoining or cornering upon each other.

(d) A distance of one-half mile must be left between any two groups of tracts which aggregate more than 160 acres.

(e) The register will reject any reservoir declaratory statement not in conformity with §§ 292.27-292.38.

(f) Lands so reserved shall be kept open to the free use of any person desiring to water animals of any kind. If the lands so reserved are not kept open to the free use of any person desiring to water animals of any kind, or if the reservoir applicant attempts to use them for any other purpose, or if the reservation is not obtained for the bona fide and exclusive purpose of constructing and maintaining a reservoir thereon ac-

cording to law, the declaratory statement, upon any such matter being made to appear, will be canceled and all rights thereunder be declared at an end.

(g) Notwithstanding the action of the register in accepting any such declaratory statement, the Commissioner of the General Land Office will reject the same if upon considering the matters set forth therein it appears that the declaratory statement is not filed in good faith for the sole purpose of accomplishing what the law authorizes to be done.

§ 292.31 *Time for construction.* The reservoir must be completed and constructed within 2 years after the filing of the declaratory statement; otherwise the declaratory statement will be subject to cancellation.

§ 292.32 *Map of constructed reservoir.* After the construction and completion of the reservoir the applicant shall have the same accurately surveyed and mapped showing its location with relation to the public land surveys. The map must be filed in the proper district land office and must bear Forms 2 and 3.

§ 292.33 *Action by register when map has been filed.* When the map and other papers have been filed in the district land office, the date of filing will be noted thereon and the proper notations will be made on the records, as in the case of the declaratory statement. The register will then promptly forward the map and papers to the General Land Office.

§ 292.34 *Approval of constructed project.* The map and papers will be examined in the General Land Office to determine whether they comply with the law and the regulations, and whether the amount of land desired is warranted by the showing made in the application. If found satisfactory, they will be submitted to the Secretary of the Interior, and upon approval, the lands shown to be necessary for the proper use and enjoyment of the reservoir will be reserved from other disposition so long as the reservoir is maintained and water kept therein for the purposes named in the Act. Upon the receipt of notice of such reservation from the General Land Office, the register will make the proper notations on his records and report the making thereof promptly to the General Land Office.

§ 292.35 *Annual proof of maintenance.* In order that this reservation shall be continued it is necessary that the reservoir "shall be kept in repair and water kept therein." For this reason the owner of the reservoir will be required, during the month of January of each year, to file in the district land office an affidavit to the effect that the reservoir has been kept in repair and water kept therein during the preceding year, and that all the provisions of the Act have been complied with. Form 4* will be used for this affidavit. Upon failure to file such affidavit, steps will be taken looking to the revocation of the reservation of the lands.

§ 292.36 *Procedure when unsurveyed land is involved.* In any case where the proposed reservoir is to be located upon

unsurveyed public land, the declaratory statement may be filed, the land being therein described by metes and bounds and, as well, by the description which it is believed it will bear when officially surveyed. Proof of construction must be submitted at the end of the same period of time and in the same manner as is prescribed and required in cases where the lands have been previously surveyed. Such proof should embrace the field notes and a plat of survey such as is required in cases of reservoirs on surveyed lands, with such modifications as are necessary (§ 292.32).

(a) Any reservation made pursuant to the Act of January 13, 1897, secures only a license to use and occupy the reserved land with and for a reservoir, and this license may endure permanently or may be of transient duration. No estate in the land is granted. For this reason it is administratively undesirable that private surveys made pursuant to the statute and §§ 292.27-292.38 shall be preserved and established by subsequent public-land surveys and approved plats thereof. When, therefore, the public-land surveys have been extended over land covered by a reservoir declaratory statement affecting unsurveyed lands, the declarant shall adjust his survey to the line of the official survey, showing the location of the reservoir with respect to said lines by means of properly established tie lines. Any subsequent reservation which may be ordered will be of those subdivisions thus shown to be occupied by or necessary for the proper use of the reservoir.

(b) An annual affidavit of maintenance must be submitted the same as though the reservoir had been constructed on surveyed lands. Nothing in §§ 292.27-292.38 shall preclude the General Land Office or the Department from requiring additional information in any case where that information is deemed proper or necessary.

§ 292.37 *Application to fence reservoir; plat required.* Any person, company, or corporation desiring to secure the benefits of the Act of March 3, 1923, should file in the district land office an application, under oath, duly corroborated by at least two disinterested witnesses, setting forth such facts as would show that it is necessary to fence such reservoir in order to protect the livestock, to conserve water, and to preserve its quality and conditions. There should be filed with such application, and as a part thereof, a plat showing the land embraced in the reservoir as near as may be, the location of proposed fence with respect to such reservoir, together with all gates or other openings and roadways leading to the same. In no instance will an application be considered unless said plat shows the location of at least two gates. Said gates shall be so constructed and maintained that they may be, at all times, readily opened and closed by any person desiring to water animals of any kind, and such gates shall be so placed as to be readily accessible from the road or roads nearest the reservoir, which roads shall be the ones usually traveled and, where there are no

such roads whereby to govern the location of such gates, they shall be so situated as to make the reservoir readily available from the adjacent public or other range; and that there shall be posted on the gates, and elsewhere if necessary, a notice stating that the reservoir is for stock-watering purposes, located on public lands, and that the same is opened to the free use of any person desiring to water animals of any kind.

§ 292.38 *Action by register on application.* Upon the filing of such an application, it should be considered by the register as an additional paper in the case and transmitted to the General Land Office by special letter under the serial number of the reservoir declaratory statement for such action as may be deemed proper.

Regulations superseded. Sections 292.27 to 292.38, inclusive, supersede sections 244.18 to 244.30, inclusive, of Title 43 of the Code of Federal Regulations (Circ. 1237a, May 29, 1938).

FRED W. JOHNSON,
Commissioner.

Approved: May 31, 1943.

OSCAR L. CHAPMAN,
Assistant Secretary.

(Form 1)

RESERVOIR DECLARATORY STATEMENT

(Under Act of January 13, 1897 (29 Stat. 484))

Res. D. S. No. _____ Land Office at _____, 19____.

I, _____, of _____, do hereby certify that I am President of the _____ company, and on behalf of said company, and under its authority, do hereby apply for the reservation of land in _____ County, State of _____, for the construction and use of a reservoir for furnishing water for livestock under the provisions of the Act of January 13, 1897 (29 Stat. 484). The location of said reservoir and of the land necessary for its use, is as follows: _____ of section _____ in township _____, of range _____ M., containing _____ acres.

I hereby certify that to the best of my knowledge and belief the said land is not occupied or otherwise claimed, is not mineral or otherwise reserved, and that the said reservoir is to be used in connection with the business of the applicant of _____.

The land owned or claimed by the applicant within the vicinity of the said reservoir (within 3 miles) is as follows: _____.

I further certify that no part of the land to be reserved under this application is or will be fenced; that the same shall be kept open to the free use of any person desiring to water animals of any kind; that the land will not be used for any purpose except the watering of stock; and that the land is not, by reason of its proximity to other lands reserved for reservoirs, excluded from reservation by the regulations and rulings of the Land Department.

The water of said reservoir will cover an area of _____ acres in _____ of section _____ in township _____, of range _____ of said lands; the capacity of the reservoir will be _____ gallons, and the dam will be _____ feet high. The source of the water for said reservoir is _____ and there are no streams or springs within 2

miles of the land to be reserved except as follows: _____.

The applicant has filed no other declaratory statements under this Act except as follows: _____.

No. _____ land office, area to be reserved _____ acres

No. _____ land office, area to be reserved _____ acres

No. _____ land office, area to be reserved _____ acres

No. _____ land office, area to be reserved _____ acres

Total, _____ acres, of which Nos. _____ are located in said county.

And I further certify that it is the bona fide purpose and intention of this applicant to construct and complete said reservoir and maintain the same in accordance with the provisions of said Act of Congress and such regulations as are or may be prescribed thereunder.

[SEAL OF COMPANY] _____

Attest: _____

Secretary.

STATE OF _____,

County of _____, ss:

_____, being duly sworn, deposes and says that the statements herein made are true to the best of his knowledge and belief.

Sworn to and subscribed before me this _____ day of _____ in the year 19____.

Notary Public.

Land Office at _____, 19____.

I, _____, register of the land office, do hereby certify that the foregoing application is for the reservation of lands subject thereto under the provisions of the Act of January 13, 1897; that there is no prior valid adverse right to the same; and that the land is not, by reason of its proximity to other lands reserved for reservoirs, excluded from reservation by the regulations and ruling of the Land Department.

Fees, \$_____ paid.

Register.

(Form 2)

STATE OF _____,

County of _____, ss:

_____, being duly sworn, says that he is the person who was employed to make the survey of a reservoir covering an area of _____ acres, the initial point of the survey being _____ (here describe as required by Section 292.32), said reservoir having been constructed upon the _____ quarter of the _____ section _____, township _____, range _____ M., as proposed by reservoir declaratory statement No. _____, which was filed in the local land office at _____, under the provisions of the Act of January 13, 1897 (29 Stat. 484); that the said survey was made on the _____ day of _____, 19____; that the dam and all necessary works have been constructed in a substantial manner; that the reservoir has a capacity of _____ gallons, and at the time of said survey contained _____ gallons of water.

Sworn and subscribed to before me this _____ day of _____ 19____.

Notary Public.

(Form 3)

I, _____, do hereby certify that I am the President of the _____ company which filed (or that I am the per-

son who filed) reservoir declaratory statement No. _____ in the local land office at _____; that the reservoir proposed to have been constructed upon the _____ quarter of the _____ quarter of section _____, township _____, range _____ M., covering an area of _____ (describe as in Form 2); that the dam and all necessary works have been constructed in a substantial manner in good faith in order that the reservoir may be used and maintained for the purpose, and in the manner prescribed by the said Act of January 13, 1897 (29 Stat. 484), the provisions of which have been and will be complied with in all respects.

[SEAL OF COMPANY]

President of Company.

Secretary.

Attest:

(Form 4)

STATE OF _____,

County of _____, ss:

_____, being duly sworn, deposes and says that he is the President of the _____ company which filed (or that he is the person who filed) reservoir declaratory statement No. _____ in the local land office at _____; that the reservoir constructed in pursuance thereof, as heretofore certified, has been kept in repair; that the water has been kept therein to the extent of not less than _____ gallons during the entire calendar year of 19____; that neither the reservoir nor any part of the land reserved for use in connection therewith is or has been fenced during said years; and that the said company has in all things complied with the provisions of the Act of January 13, 1897 (29 Stat. 484).

President of _____ Company.

Sworn and subscribed to before me this _____ day of _____, 19____.

[SEAL]

Notary Public.

[F. R. Doc. 43-8924; Filed, June 1, 1943; 3:29 p. m.]

[Circular No. 1544]

PART 199—SILICA SANDS, AND OTHER NON-METALLIC MINERALS

LEASES OF SILICA SANDS AND OTHER NON-METALLIC MINERALS IN CERTAIN AREAS IN NEVADA

Sec.

- 199.1 Statutory authority.
- 199.2 Applicability of other regulations.
- 199.3 Lands to which applicable.
- 199.4 Leasing units.
- 199.5 Acreage limitation.
- 199.6 Royalty and rentals.
- 199.7 Qualifications of applicants.
- 199.8 Filing of application.
- 199.9 Form and contents of application.
- 199.10 Action by the Register.
- 199.11 Action in the General Land Office.
- 199.12 Term of lease.
- 199.13 Bonds.
- 199.14 Form of lease.

AUTHORITY: §§ 199.1 to 199.14, inclusive, issued under 56 Stat. 273; 18 U.S.C. 682.

§ 199.1 *Statutory authority.* The act of May 9, 1942 (56 Stat. 273), authorizes the Secretary of the Interior to lease, under the rules and regulations of the act of February 25, 1920 (41 Stat. 437), as amended, so far as applicable, deposits of silica sand and other nonmetalliferous

minerals within lands withdrawn by Executive Order No. 5105 of May 3, 1929.

§ 199.2 *Applicability of other regulations.* Deposits of oil, gas, phosphate, coal, sodium and oil shale within the lands shall be subject to disposal pursuant to the applicable regulations issued under the Act of February 25, 1920 (41 Stat. 437) as amended. The regulations issued under the Act of February 27, 1927 (44 Stat. 1057) shall govern the disposal of potash deposits. The following regulations shall apply to all other deposits of nonmetalliferous minerals within the lands.

§ 199.3 *Lands to which applicable.* The act applies to the lands withdrawn by Executive Order No. 5105, which withdrew all public lands, not theretofore withdrawn, within the following described townships:

NEVADA

All of Township 15 South, Ranges 66, 67, 68, East, M.D.M.

All of Township 16 South, Ranges 66, 67, 68, East, M.D.M.

All of Township 17 South, Ranges 66, 67, 68, East, M.D.M.

and also a tract described as follows:

That area of unsurveyed land east of Timber Mountain bounded on the north by latitude 37°10'20", on the south by latitude 37°7'46", and lying between meridians of longitude 116°20'16" and 116°23'28", comprising an area of 9 square miles and including what is known as Fortymile Canyon Pueblo.

§ 199.4 *Leasing units.* Leasing units shall consist of legal subdivisions, if the lands are surveyed, of not more than 640 acres of public lands in a reasonably compact form or, if the lands are not surveyed, shall consist of not more than 640 acres in square or rectangular form with north and south and east and west boundaries, so as to approximate legal subdivisions, described by metes and bounds connected to a corner of the public land surveys by course and distance.

§ 199.5 *Acreage limitation.* Every applicant for a lease hereunder must show that, with the area applied for, his or its interest or interests in such leases and other applications therefor, directly or indirectly, will not exceed in the aggregate 2,560 acres.

§ 199.6 *Royalty and rentals.* The rate of royalty will be fixed prior to the issuance of the lease, but in no case will the royalty rate be less than two per centum of the quantity or gross value of the output of the leased miner.

Rental for the first year must be paid at the rate of 25 cents per acre or fraction thereof prior to issuing the lease and thereafter annually in advance at the rate of \$1 per acre or fraction of an acre, such rental to be credited against royalties accruing for the year for which paid.

§ 199.7 *Qualifications of applicants.* Leases may be issued to (a) citizens of the United States, (b) associations of such citizens, or (c) corporations organized under the laws of the United States or of any State or territory thereof.

§ 199.8 *Filing of application.* Application must be under oath, accompanied by a filing fee of \$10 and filed in the district land office at Carson City, Nevada, addressed to the Commissioner of the General Land Office.

§ 199.9 *Form and contents of application.* No specific form of application is required, but it should cover, in substance, the following points, namely:

(a) Applicant's name and address.
(b) Proof of citizenship of applicant; by affidavit of such fact if native born; or, if naturalized, by affidavit giving the date of naturalization, court in which naturalized, and number of certificate if known; if a corporation, by certified copy of the articles of incorporation thereof, and showing as to residence and citizenship of its stockholders.

(c) A statement of all holdings by the applicant of leases under these regulations, pending applications therefor and interests, directly or indirectly, held in such leases.

(d) Description of the land for which the lease is desired, by legal subdivisions if surveyed or, if unsurveyed, by metes and bounds and by approximate legal subdivisions.

(e) Proposed method of conducting exploratory operations, amount of capital available for such operations, and the diligence with which such exploration will be prosecuted.

(f) Statement of the applicant's experience in operations of this nature, together with reference as to his character, reputation, and business experience.

§ 199.10 *Action by the Register.* When an application is filed with the district land office it will be given the current serial number, will be noted on the records, and at the proper time transmitted to the Commissioner of the General Land Office accompanied by a statement as to the status of the lands described therein.

§ 199.11 *Action in the General Land Office.* On the receipt of the application in the General Land Office it will be considered, investigation made if deemed necessary, and the application will be submitted to the Secretary of the Interior with appropriate recommendation and report as to the proper action to be taken thereon, giving due consideration to the proposed effectual development of the alleged mineral deposits and the amount of capital to be invested therein.

The right is reserved to offer the lease by competitive bidding to the responsible bidder offering the highest cash bonus, in which case the filing of the application will not give any priority to the applicant if he is not the successful bidder.

§ 199.12 *Term of lease.* Leases will be issued for a period of five years subject to renewal at the expiration thereof for additional periods of five years each, on such reasonable terms as may be prescribed by the Secretary of the Interior at the time of such renewal.

§ 199.13 *Bonds.* The applicant will be required prior to the issuance of the lease to furnish and maintain thereafter a bond with acceptable corporate surety, or two qualified individual sureties, in

the sum of \$1,000 or such other amount as may be fixed, conditioned against failure of the lessee to comply with the provisions of the lease.

§ 199.14 *Form of lease.* Leases issued pursuant to these regulations shall be substantially in the form attached hereto, Form No. 4-214 which is hereby approved.

FRED W. JOHNSON,
Commissioner.

Approved: May 27, 1943.

OSCAR L. CHAPMAN,
Assistant Secretary.

FORM 4-214
(May 1943)

THE UNITED STATES OF AMERICA,
DEPARTMENT OF THE INTERIOR

District Land Office at Carson City, Nevada
Serial No. _____

MINING LEASE OF NONMETALLIC MINERALS UNDER THE ACT OF MAY 9, 1942

(56 Stat. 273)

This indenture of lease, entered into, in triplicate, this ____ day of _____, 19____, by and between the United States of America, acting in this behalf by the Secretary of the Interior, party of the first part, hereinafter called the lessor, and _____ party of the second part, hereinafter called the lessee, under, pursuant, and subject to the terms and provisions of the Act of Congress, approved May 9, 1942 (56 Stat. 273), entitled "An act to authorize the Secretary of the Interior to lease for the exploitation of silica sand and other nonmetallic minerals, lands withdrawn by Executive Order Numbered 5105, dated May 3, 1929," hereinafter called the "Act."

Witnesseth:

That the lessor, in consideration of the rents and royalties to be paid and the covenants to be observed as hereinafter set forth, does hereby grant and lease to the lessee the exclusive right and privilege to mine and dispose of all the _____ in, upon, or under the following described tracts of land, situated in the State of Nevada;

_____ containing _____ acres, more or less, together with the right to construct all such works, buildings, plants, structures, and appliances as may be necessary and convenient for the mining and preparation of the leased minerals for market, the manufacture of products thereof, the housing and welfare of employees, and, subject to the conditions herein provided, to use so much of the surface as may reasonably be required in the exercise of the rights and privileges granted for a period of five years, subject to renewal at the expiration thereof for additional periods of five years each, on such reasonable terms as may be prescribed by the Secretary of the Interior at the time of such renewal.

SECTION 1. That the lessor expressly reserves:

(1a) The right to permit for joint or several use such easements or rights of way, including easement in tunnels upon, through, or in the land leased, occupied, or used as may be necessary or appropriate to the working of the same or other lands containing the deposits described in the Act, and the treatment and shipment of the products thereof by or under authority of the Government, its lessees, or permittees, and for other public purposes.

(1b) The right to lease, sell, or otherwise dispose of the surface of the lands or any part thereof under existing law or laws hereafter enacted, so far as the surface is not

necessary for the use of the lessee in the mining and removal of the leased minerals therein, and to lease other leasable mineral deposits in the lands.

(1c) Full power and authority to carry out and enforce all of the provisions of section 30 of the Act of February 25, 1920 (41 Stat. 437), as amended, (30 U.S.C. 181-263), to insure the sale of the production of said leased lands to the United States and to the public at reasonable prices, to prevent monopoly, and to safeguard the public welfare.

Sec. 2. The lessee in consideration of the lease of the rights and privileges aforesaid hereby covenants and agrees as follows:

(2a) To commence mining within 6 months from the date hereof and to mine and dispose of the minerals with reasonable diligence, and, beginning with the second year of the lease, except when operations are interrupted by strikes, the elements, or casualties not attributed to the lessee, to mine and produce each year minerals from the leased area, to the gross value of not less than ----- dollars, or to pay royalty on said gross value if the value of production be less.

(2b) To furnish and maintain a bond in the sum of \$1,000 conditioned upon compliance with the terms and provisions of this lease.

(2c) To pay the lessor in advance for each acre or fraction thereof a rental of 25 cents for the first lease year beginning on the first day of the month in which the lease issues, and a rental of \$1.00 per acre or fraction thereof for each subsequent lease year, the rental so paid for any one lease year to be credited against royalties accruing for that year.

(2d) To pay a royalty of ----- per centum of the gross value of the minerals mined, such royalty to be paid quarterly, the royalty of each quarter to be paid during the next succeeding month to the Register of the United States land office at Carson City, Nevada.

(2e) to determine accurately the weight or quantity of all mineral mined from the leased premises, and to accurately enter the weight or quantity and value thereof in due form in books to be kept and preserved by the lessee for such purpose.

(2f) To furnish quarterly, within 30 days after the expiration of the quarter, a written report covering such quarter, certified under oath by the superintendent of the mine, or by such other agent having personal knowledge of the facts as may be designated by the lessee for such purpose, showing the amount of minerals mined during the quarter, the character and quality thereof, and amount of the products and by-products disposed of and prices received therefor, and amount in storage or held for sale.

(2g) To not assign this lease or any interest therein, nor sublet any portion of the leased premises, without the written consent of the lessor being first had and obtained.

Sec. 3. This lease is made subject to the following provisions, which the lessee accepts and covenants faithfully to perform and observe, unless the laws of the State where the leased land or deposits are situated otherwise provide, in which case such State laws control.

(3a) The lessee shall carry out and observe regulations prescribed by the Secretary of the Interior and in force at the date hereof relative to (1) reasonable diligence, skill, and care in the operation of said property in accordance with approved methods and practices, (2) the prevention of undue waste, and (3) the safety and welfare of miners.

Sec. 4. And the lessee also expressly agrees that all mining and related operations shall be subject to the inspection of authorized representatives of the lessor, and that such representatives may at all times enter into and upon the leased lands and survey and examine same and all surface and under-

ground improvements, works, machinery, equipment, and operations.

(4a) And also shall permit the lessor to examine all books and records pertaining to operations under this lease and to make copies of and extracts from any or all of same, if desired.

(4b) And also shall, at the termination of this lease, as the result of forfeiture thereof, deliver up to the lessor the lands covered thereby, including all fixtures, machinery, improvements, and appurtenances, other than strictly personal property, situate on any of said lands, in good order and condition, so as to permit immediate continued operation to the full extent and capacity of the leased premises.

Sec. 5. It is further mutually understood and agreed as follows:

(5a) That the lessor may, in writing, waive any breach of the covenants and conditions contained herein, except such as are required by the Act, but any such waiver shall extend only to the particular breach so waived and shall not limit the rights of the lessor with respect to any future breach; nor shall the waiver of a particular cause of forfeiture prevent cancellation of this lease for any other cause, or for the same cause occurring at another time.

(5b) The lessee may, on consent of the Secretary of the Interior first had and obtained, surrender and terminate this lease upon payment of all rents, royalties, and other debts due and payable to the lessor, and upon payment of all wages or moneys due and payable to the workmen employed by the lessee, and upon a satisfactory showing to the Secretary of the Interior that the public interest will not be impaired; and the lessee may, with like consent, surrender any legal subdivision of the area included within the lease; but in no case shall such termination be effective until the lessee shall have made provision for the preservation of any mines or productive works or permanent improvements on the lands covered hereby.

(5c) If the lessee shall fail to comply with the provisions of the Act or make default in the performance or observance of any of the terms, covenants, and stipulations hereof, or in the general regulations promulgated and in force at date hereof, the lessor may institute appropriate proceedings in the United States district court for the district in which the property or some part thereof is located, for the forfeiture and cancellation of this lease, but this provision shall not be construed as depriving the lessor of any legal or equitable remedy which the lessor might otherwise have.

(5d) That on the termination of this lease, pursuant to (5b) hereof, the lessor, his agent, licensee, or lessee shall have the exclusive right at the lessor's election, to purchase at any time within six months, at the appraised value thereof, all buildings, machinery, equipment, and tools, placed by the lessee in or on the land leased hereunder, save and except all underground timbering, and such other supports and structures as are necessary for the preservation of the mine, which shall be and remain a part of the realty without further consideration or compensation; that the purchase price to be paid for said buildings, machinery, equipment, and tools to be purchased as aforesaid, shall be fixed by appraisal of three disinterested and competent persons (one to be designated by each party hereto and the third by the two so designated), the valuation of the three or a majority of them to be conclusive; that pending such election to purchase within said period of six months none of said buildings or other property shall be removed from their normal position; that if such valuation be not requested, or the lessor shall affirmatively elect not to purchase within said period of six months, the lessee shall have the privilege of removing said buildings and other property, except said timbering and other supports and structures, as

are necessary for the preservation of the mine, as aforesaid.

Sec. 6. It is further covenanted and agreed that, should the lessee fail to take prompt and necessary steps to prevent loss or damage to the mine, property, or premises, or danger to the employees, the lessor may enter on the premises and take such measures as may be deemed necessary to prevent such loss or damage or to correct the dangerous or unsafe condition of the mine or works thereof, which shall be at the expense of the lessee.

Sec. 7. It is further covenanted and agreed that each obligation hereunder shall extend to and be binding upon, and every benefit hereof shall inure to, the heirs, executors, administrators, successors, or assigns of the respective parties hereto.

Sec. 8. It is also further agreed that no Member of or Delegate to Congress, or Resident Commissioner, after his election or appointment, or either before or after he has qualified, and during his continuance in office, and that no officer, agent, or employee of the Department of the Interior, shall be admitted to any share or part in this lease, or derive any benefit that may arise therefrom, and the provisions of section 3741 of the Revised Statutes of the United States and sections 114, 115, and 116 of the Criminal Code, Act of March 4, 1909 (35 Stat. 1109, 18 U.S.C. 204, 205, 206) relating to contracts, enter into and form a part of this lease so far as the same may be applicable.

In witness whereof

THE UNITED STATES OF AMERICA,

By _____
Secretary of the Interior, Lessor,

Lessee.

Witnesses:

[F. R. Doc. 43-9241; Filed, June 8, 1943;
10:03 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[Service Order 126, Amdt. 1]

PART 95—CAR SERVICE

CARS OF POTATOES NOT TO BE ICED

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 7th day of June, A. D. 1943.

It appearing, that shipments of potatoes in refrigerator cars originating in the States of Florida, Georgia, South Carolina, North Carolina, and Virginia are being iced unnecessarily thereby delaying unduly the movement of trains; in the opinion of the Commission an emergency exists requiring immediate action to prevent a shortage of railroad equipment and congestion of traffic; *It is ordered, That:*

Section 95.308 *Refrigerator cars* is hereby amended to read as follows:

(a) *Cars of potatoes not to be iced.* Notwithstanding the provisions of Service Order No. 123, as amended, (§ 95.307 of this part, 8 F.R. 6431), effective at once and until further order of the Commission no common carrier by railroad sub-

ject to the Interstate Commerce Act shall ice or permit to be iced a refrigerator car or cars loaded with potatoes originating in the States of Florida, Georgia, South Carolina, North Carolina, or Virginia. The operation of all tariff rules or regulations insofar as they conflict with the provisions of this order is hereby suspended.

(b) *Announcement of suspension.* Each of such railroads shall publish, file, and post a supplement to each of its tariffs affected thereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the suspension of any of the provisions therein.

(c) *Special and general permits.* The provisions of this order shall be subject to any special or general permits issued by the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., to meet specific needs or exceptional circumstances. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register, The National Archives.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 43-9249; Filed, June 8, 1943;
10:28 a. m.]

[Service Order 128]

PART 95—CAR SERVICE

CARS OF FRESH OR GREEN VEGETABLES NOT TO BE REICED

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 7th day of June, A. D. 1943.

It appearing, that there is an acute shortage of ice and that shipments of fresh or green fruits or vegetables in refrigerator cars originating in the States of Florida, Georgia, South Carolina, North Carolina, and Virginia are being reiced unnecessarily thereby delaying unduly the movement of trains; in the opinion of the Commission an emergency exists requiring immediate action to prevent a shortage of railroad equipment and congestion of traffic: It is ordered, That:

§ 95.309 *Refrigerator cars*—(a) *Cars of fresh or green fruits or vegetables not to be reiced after a first reicing in excess of 75 percent of capacity of bunkers.* Notwithstanding the provisions of Service Order No. 123, as amended, (§ 95.307 of this part, 8 F.R. 6481), or Service Order No. 126, as amended, (§ 95.308 of this part, 8 F.R. 7285), ef-

fective at once and until further order of the Commission, no common carrier by railroad subject to the Interstate Commerce Act shall reice or allow or permit reicing with more than enough ice to bring ice to three-fourths of the refrigerator car bunker capacity at any point or points in the States of Florida, Georgia, South Carolina, North Carolina, or Virginia after the first reicing of a refrigerator car or cars loaded with perishable freight moving under Standard Refrigeration as defined in Agent Quinn's Perishable Protective Tariff, I.C.C. No. 12, supplements thereto or reissues thereof. The operation of all tariff rules or regulations insofar as they conflict with the provisions of this order is hereby suspended.

(b) *Announcement of suspension.* Each of such railroads shall publish, file, and post a supplement to each of its tariffs affected thereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the suspension of any of the provisions therein.

(c) *Special and general permits.* The provisions of this order shall be subject to any special or general permits issued by the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., to meet specific needs or exceptional circumstances. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register, The National Archives.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 43-9250; Filed, June 8, 1943;
10:28 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service

PART 91—ALASKA GAME REGULATIONS

GAME ANIMALS, LAND FUR-BEARING ANIMALS, GAME BIRDS, NONGAME BIRDS, AND NESTS AND EGGS OF BIRDS

Pursuant to the authority and direction contained in section 10 of the Alaska Game Law of January 13, 1925 (43 Stat. 739), as amended, I, Abe Fortas, Acting Secretary of the Interior, upon consultation with and recommendation from the Alaska Game Commission, and having determined when, to what extent, and by what means game animals, land fur-bearing animals, game birds, nongame birds, and nests and eggs of birds may be taken, possessed, transported,

bought, or sold in Alaska, in accordance with such determinations do hereby amend Regulation 13 of the regulations respecting game animals, land fur-bearing animals, game birds, nongame birds, and nests and eggs of birds in Alaska adopted March 4, 1942 (7 F.R. 2062) to the extent herein set out, and hereby adopt, effective June 8, 1943, said amended regulation permitting and governing the taking of game animals, land fur-bearing animals, game birds, nongame birds, and nests and eggs of birds in Alaska:

Subheading "Fur District 5" under the heading "Muskrat", of § 91.13 *Fur districts and open seasons and limits on land fur-bearing animals* [Regulation 13] is amended to read as follows:

Muskrat. South of the Unalakleet River, including its drainage, April 1 to May 31; north of the Unalakleet River drainage, April 1 to June 7, except that in the Kotzebue Sound drainage, the season shall extend through June 15, 1943.

In testimony whereof, I have hereunto set my hand and caused the official seal of the United States Department of the Interior to be affixed in the City of Washington, this 27th day of May 1943.

[SEAL]

ABE FORTAS,

Acting Secretary of the Interior.

[F. R. Doc. 43-9247; Filed, June 8, 1943;
10:02 a. m.]

ALASKA CLAM FISHERIES

PART 211—PRINCE WILLIAM SOUND AREA FISHERIES

Section 211.26 is hereby amended to read as follows:

§ 211.26 *Maximum take of razor clams, January 1 to June 30.* In the open season from January 1 to June 30, both dates inclusive, there shall not be taken in the Prince William Sound and Copper River areas a combined total of more than 1,600,000 pounds of razor clams, including shells, or 45,000 cases upon the basis of 48 one-half pound cans per case. Not to exceed 200,000 pounds, including shells, or 5,625 cases upon the basis of 48 one-half pound cans per case, shall be taken prior to April 15.

Section 211.27 is hereby amended to read as follows:

§ 211.27 *Maximum take of razor claims, August 16 to December 31.* In the open season from August 16 to December 31, both dates inclusive, there shall not be taken in the Prince William Sound and Copper River areas a combined total of more than 280,000 pounds of razor clams, including shells, or 7,875 cases upon the basis of 48 one-half pound cans per case.

Section 211.28 is hereby amended to read as follows:

§ 211.28 *Maximum take of razor clams from certain central bars.* Within the section bounded on the west by Strawberry Point Channel, on the north by a

line from the southern extremity of Mummy Island to Wireless Point, on the east by a line from Government Rock to the west end of First Egg Island, and on the south by a line extending from the west end of First Egg Island to Point Bentinck, the taking of razor clams for commercial purposes is prohibited for the remainder of the open season from January 1 to June 30 after a combined total of 800,000 pounds, including shells, or 22,500 cases upon the basis of 48 one-half pound cans per case, has been reached in the Prince William Sound and Copper River areas: *Provided*, That this prohibition shall not apply to the area within one statute mile of First Egg Island.

PART 212—COPPER RIVER AREA FISHERIES

Section 212.16 is hereby amended to read as follows:

§ 212.16 *Maximum take of razor clams, January 1 to June 30.* In the open season from January 1 to June 30, both dates inclusive, there shall not be taken in the Prince William Sound and Copper River areas a combined total of more than 1,600,000 pounds of razor clams, including shells, or 45,000 cases upon the basis of 48 one-half pound cans per case. Not to exceed 200,000 pounds, including shells, or 5,625 cases upon the basis of 48 one-half pound cans per case, shall be taken prior to April 15.

Section 212.17 is hereby amended to read as follows:

§ 212.17 *Maximum take of razor clams, August 16 to December 31.* In the open season from August 16 to December 31, both dates inclusive, there shall not be taken in the Prince William Sound and Copper River areas a combined total of more than 280,000 pounds of razor clams, including shells, or 7,875 cases upon the basis of 48 one-half pound cans per case.

Section 212.18 is hereby amended to read as follows:

§ 212.18 *Maximum take of razor clams from certain central bars.* Within the section bounded on the west by Strawberry Point Channel, on the north by a line from the southern extremity of Mummy Island to Wireless Point, on the east by a line from Government Rock to the west end of First Egg Island, and on the south by a line extending from the west end of First Egg Island to Point Bentinck, the taking of razor clams for commercial purposes is prohibited for the remainder of the open season from January 1 to June 30 after a combined total of 800,000 pounds, including shells, or 22,500 cases upon the basis of 48 one-half pound cans per case, has been reached in the Prince William Sound and Copper River areas: *Provided*, That this prohibition shall not apply to the area within one statute mile of First Egg Island.

The amendments contained in this document shall be in full force and effect

immediately from and after the date of their publication in the FEDERAL REGISTER.

OSCAR L. CHAPMAN,
Assistant Secretary.

MAY 28, 1943.

[F. R. Doc. 43-9248; Filed, June 8, 1943;
10:02 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. 337-FD]

M. R. MCCONNELL

MEMORANDUM OPINION AND ORDER OF THE DIRECTOR

On October 24, 1942, after due notice and hearing, Charles O. Fowler, a duly designated Examiner of the Division, submitted a report in which he recommended that the application for exemption from the provisions of the Bituminous Coal Code made by M. R. McConnell should be dismissed. The Examiner found that applicant had not demonstrated that coals produced by him at his mine located at Mt. Ephraim, Ohio, in District No. 4, did not affect interstate commerce in bituminous coal and that it had not been established that the coals should be exempted, pursuant to section 4-A of the Bituminous Coal Act of 1937.

An opportunity was afforded to all parties to file exceptions to the Examiner's Report, but no exceptions have been filed. I have considered the Report and I believe that the Examiner's conclusions are substantially in accord with principles recently reiterated by me in such cases as matter of the application of Railroad Fuel Company, Dockets No. 476-FD and 622-FD.

Upon the basis of the proposed findings of fact and proposed conclusions of law of the Examiner set forth in his Report and upon the entire record in this proceeding:

It is hereby ordered, That the proposed findings of fact and the proposed conclusions of law of the Examiner are approved and adopted as the findings of fact and conclusions of law of the Director.

It is further ordered, That, effective fifteen (15) days from the date of this order, the application of M. R. McConnell for exemption is denied.¹

Dated: June 5, 1943.

[SEAL]

DAN H. WHEELER,
Director.

[F. R. Doc. 43-9265; Filed, June 8, 1943;
10:51 a. m.]

¹ Although the Examiner recommended dismissal, denial of the application is more appropriate under the Division's practice.

[Docket No. B-335]

BALDWIN FUEL COMPANY

ORDER DIRECTING CODE MEMBERS TO CEASE AND DESIST

In the matter of James Hare, Sr. and James Hare, Jr., individually and as copartners, doing business under the name and style of Baldwin Fuel Company, code members.

Upon the basis of findings of fact and conclusions of law set forth in an opinion filed simultaneously herewith, wherein it appears that code members wilfully violated sections 4 II (e) and (g) of the Bituminous Coal Act of 1937, the corresponding sections of the Bituminous Coal Code, Price Instruction No. 14, as amended and contained in the Schedule of Effective Minimum Prices for District No. 17 for All Shipments, and section VII of the Marketing Rules and Regulations; and pursuant to the provisions of sections 4 II (j) and 5 (b) of the Act:

It is ordered, That James Hare, Sr. and James Hare, Jr., individually and as copartners, doing business under the name and style of Baldwin Fuel Company, operating the Star Mine (Mine Index No. 213) in Gunnison County, Colorado, their agents, representatives, employees, successors or assigns, and any person acting or claiming to act for or on their behalf, cease and desist from violating sections 4 II (e) and (g) of the Act, the Marketing Rules and Regulations and said Price Instruction, or from otherwise violating the provisions of the Act, the Code and the rules and regulations thereunder.

Notice is hereby given that upon failure or refusal to comply with this order, the Division may apply to a Circuit Court of Appeals for the enforcement thereof, or take other appropriate action as authorized by the Act.

Dated: June 5, 1943.

[SEAL]

DAN H. WHEELER,
Director.

[F. R. Doc. 43-9263; Filed, June 8, 1943;
10:53 a. m.]

[Docket No. B-348]

PLUMMER HILL COAL COMPANY

MEMORANDUM OPINION AND ORDER TO CEASE AND DESIST

On April 23, 1943, after notice and hearing, W. A. Cuff, a duly designated Examiner of the Division submitted a Report in which he found that code member, Plummer Hill Coal Company, a corporation, operating the Plummer Hill Mine (Mine Index No. 827), located in Perry County, Ohio, in Subdistrict 5 of District 4, wilfully violated section 4 II (e) of the Act, the corresponding section of the Code and the rules and regulations promulgated thereunder by delivering, at its said mine, to the Straitsville Brick Company, New Straitsville, Ohio, during the period from June 1, 1941 to Novem-

ber 16, 1941, both dates inclusive, without any compensation therefor, approximately 133 tons of 2" x 0 nut, pea and slack coal, whereas the effective minimum price for said coal was \$1.65 per net ton f. o. b. the mine, as set forth in the Schedule of Effective Minimum Prices for District No. 4 for Truck Shipments. The Examiner recommended that an order be entered requiring code member to cease and desist from violation of section 4 II (e) of the Act, the corresponding section of the Code, the Schedule of Effective Minimum Prices for District No. 4 for Truck Shipments or from otherwise violating the Act, the Code and orders, rules and regulations issued thereunder.

Opportunity was afforded to all parties to file exceptions to the Examiner's Report. No exceptions have been filed.

I have considered the report of the Examiner, and I find that it adequately and accurately reflects the evidence disclosed in the record upon the basis of the proposed findings of fact, proposed conclusions of law and recommendation set forth in the report and upon the entire record in this proceeding.

It is hereby ordered, That the proposed findings of fact and the proposed conclusions of law of the Examiner are approved and adopted as the findings of fact and conclusions of law of the Director.

It is further ordered, That the Plummer Hill Coal Company, a corporation, code member, operating the Plummer Hill Mine (Mine Index No. 827), located in Perry County, Ohio, their agents, employees, representatives, successors and assigns, and all persons acting or claiming to act on their behalf or interest, cease and desist from violating section 4 II (e) of the Act, the corresponding section of the Code, or from otherwise violating the provisions of the Act, the Code or orders, rules and regulations issued thereunder.

Notice is hereby given that upon failure or refusal to comply with this order, the Division may apply to a United States Circuit Court of Appeals for the enforcement thereof, or may otherwise proceed as authorized by the Act.

Dated: June 5, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-9264; Filed, June 8, 1943;
10:51 a. m.]

General Land Office.

[Public Land Order 131]

WASHINGTON

WITHDRAWING PUBLIC LANDS FOR USE OF THE WAR DEPARTMENT FOR AVIATION PURPOSES

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, and to section 3 of the act of June 17, 1902, 32 Stat. 388 (U.S.C., title 43, sec. 416): It is ordered, As follows:

Subject to valid existing rights, the following-described public lands are

hereby withdrawn from all forms of appropriation under the public land laws, including the mining and mineral-leasing laws, and reserved for the use of the War Department for aviation purposes:

WILLAMETTE MERIDIAN

T. 19 N., R. 28 E.,
sec. 4, lots 3, 4, S½NW¼, and N½SW¼.
T. 20 N., R. 28 E.,
sec. 28;
sec. 30, NE¼SW¼;
sec. 32, N½NW¼ and SE¼NW¼.
The areas described aggregate 1042.37 acres.

This order shall take precedence over, but shall not rescind or revoke, (1) the withdrawals for reclamation purposes made by the orders of October 17, 1903, April 26, 1937, and June 27, 1941, of the Secretary of the Interior, and (2) the withdrawal for classification and other purposes made by Executive Order No. 6910 of November 26, 1934, as amended, so far as such orders affect any of the above-described lands.

It is intended that the lands described herein shall be returned to the administration of the Department of the Interior, when they are no longer needed for the purpose for which they are reserved.

ABE FORTAS,

Acting Secretary of the Interior.

MAY 29, 1943.

[F. R. Doc. 43-9246; Filed, June 8, 1943;
10:02 a. m.]

WHITE MOUNTAIN, ALASKA

PROCLAMATION DESIGNATING INDIAN RESERVATION

Pursuant to authority vested in the Secretary of the Interior by section 2 of the act of May 1, 1936, 49 Stat. 1250 (U.S.C., title 48, sec. 358a), there is hereby designated as an Indian reservation for the use and occupancy of the native inhabitants of the Native Village of White Mountain, Alaska, and vicinity, the lands reserved by Executive Order No. 4312, dated September 25, 1925, for the use of the Bureau of Education and the natives of Alaska, which lands are described as follows:

Beginning at a point about 2,640 feet in a southeasterly direction from a monument on the summit of White Mountain, at Post No. 1, which is located on the bank of the steamboat channel of Fish River and further marked by two witness posts; thence northerly about 4,000 feet to Post No. 2; thence northwesterly about 3,960 feet to Post No. 3; thence westerly about 7,040 feet to Post No. 4; thence southwesterly about 2,640 feet to Post No. 5; thence southerly about 2,640 feet to Post No. 6; thence easterly about 10,560 feet to Post No. 1, the place of beginning, containing 1,200 acres, more or less, and which lands are understood to include the lands and waters of that part of the Fish River which flows across and within the reservation.

This order shall be subject to any valid existing rights or claims acquired prior to the date hereof and shall become effective only upon its approval by a ma-

jority vote of the natives residing in the above-described area, voting in the manner prescribed by the said section 2 of the act of May 1, 1936, *supra*.

Done in the City of Washington, D. C., this 20th day of May 1943.

OSCAR L. CHAPMAN,

Assistant Secretary of the Interior.

[F. R. Doc. 43-9242; Filed, June 8, 1943;
10:01 a. m.]

AKUTAN, ALASKA

PROCLAMATION DESIGNATING INDIAN RESERVATION

Pursuant to authority vested in the Secretary of the Interior by section 2 of the act of May 1, 1936, 49 Stat. 1250 (U.S.C., title 48, sec. 358a), there is hereby designated as an Indian Reservation for the use and occupancy of the native inhabitants of the native village of Akutan and vicinity, Alaska, the following described area:

All of Akun Island and the water area adjacent thereto and extending 3,000 feet from the shore line and that part of Akutan Island described by metes and bounds as follows: Beginning at a point on the north shore of Akutan Harbor about one mile west of Akutan village in latitude 54°8'12" N., longitude 165°48'0" W.; thence along the shore of Akutan Harbor and Akutan Bay, easterly, northeasterly, and northwesterly to a point on the north shore of Akutan Island in longitude 165°48'0" W., thence due south to the place of beginning.

The areas described, including land and water, aggregate 72,000 acres.

This order shall be subject to any valid existing rights or claims acquired prior to the date hereof and shall become effective only upon its approval by a majority vote of the natives residing in the above-described area, voting in the manner prescribed by the said section 2 of the act of May 1, 1936, *supra*.

Done in the City of Washington, D. C., this 20th day of May 1943.

OSCAR L. CHAPMAN,

Assistant Secretary of the Interior.

[F. R. Doc. 43-9243; Filed, June 8, 1943;
10:01 a. m.]

SHISHMAREF, ALASKA

PROCLAMATION DESIGNATING INDIAN RESERVATION

Pursuant to authority vested in the Secretary of the Interior by section 2 of the act of May 1, 1936, 49 Stat. 1250 (U.S.C., title 48, sec. 358a), there is hereby designated as an Indian reservation for the use and occupancy of the native inhabitants of the Native Village of Shishmaref, Alaska, and vicinity, the Island of Sarichef, which is located at the mouth of Shishmaref Inlet on the Arctic Ocean in Latitude 66°11'45" North, Longitude 166°5' West, which includes 40 acres previously reserved by Executive Order of May 4, 1907, for educational purposes. The Island embraces approximately 3,000 acres.

This order shall be subject to any valid existing rights or claims acquired prior to the date hereof and shall become effective only upon its approval by a majority vote of the natives residing in the above-described area, voting in the manner prescribed by the said section 2 of the act of May 1, 1936, *supra*.

Done in the City of Washington, D. C., this 20th day of May, 1943.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

[F. R. Doc. 43-9244; Filed, June 8, 1943;
10:01 a. m.]

VENETIE, ARCTIC AND CHRISTIAN VILLAGES
AND ROBERT'S FISH CAMP, ALASKA

PROCLAMATION DESIGNATING INDIAN
RESERVATION

Pursuant to authority vested in the Secretary of the Interior by section 2 of the act of May 1, 1936, 49 Stat. 1250 (U.S.C., title 48, sec. 358a), there is hereby designated as an Indian Reservation for the use and occupancy of the native inhabitants of the villages of Venetie, Arctic Village, Christian Village, and Robert's Fish Camp (Kachick) and vicinity, Alaska, the following area:

Beginning at the center of the upper mouth of the Chandalar River at the point where it enters the main channel of the Yukon River (known locally as Venetie Landing) and following the center of the main channel meanders of the Chandalar River in a general northwesterly direction to the mouth of East Fork of the Chandalar River; thence following center of the channel meanders of the East Fork in a general north and east direction to the intersection of East Fork with Tritt Creek (known locally as Vunye-cho-jik); thence east and north following mid-channel meanders of Tritt Creek to its intersection with 145°30' West longitude (a point approximately 12 miles east and 2 miles north of Arctic Village); thence due south following 145°30' West Longitude to intersection with Otter Creek (a point approximately 6 miles northeast of Simon's Cabin); thence west and south to Christian River; thence in general southerly direction following midstream meanders of Christian River to point of intersection with Cutoff Slough; thence south and east to back Yukon Slough; thence west to main channel of Yukon River; thence following northern bank downstream in westerly direction to Venetie Landing and point of beginning.

The area described aggregates 1,408,000 acres.

This order shall be subject to any valid existing rights or claims acquired prior to the date hereof and shall become effective only upon its approval by a majority vote of the natives residing in the above-described area, voting in the manner prescribed by the said section 2 of the act of May 1, 1936, *supra*.

Done in the city of Washington, D. C., this 20th day of May 1943.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

[F. R. Doc. 43-9245; Filed, June 8, 1943;
10:01 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

[Administrative Order 200]

CHEMICAL, PETROLEUM, COAL PRODUCTS
AND ALLIED MFG. INDUSTRIES

INDUSTRY COMMITTEE APPOINTMENT AND
ACCEPTANCE OF RESIGNATION

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I, L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor,

Do hereby accept the resignation of William Theile of New York, New York, from Industry Committee No. 60 for the Chemical, Petroleum and Coal Products, and Allied Manufacturing Industries, and do appoint in his stead Frederick M. Martin of New York, New York, as representative for the employers on such Committee.

Signed at New York, New York this 7th day of June 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-9251; Filed, June 8, 1943;
10:32 a. m.]

OFFICE OF ALIEN PROPERTY CUS-
TODIAN.

[Vesting Order 1253]

LINA WEBER

Re: Interest in a second mortgage on real property in New Rochelle, New York and a claim, owned by Lina Weber.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Lina Weber is a citizen of Germany whose last known address is Radbod, Germany, and is a national of a designated enemy country (Germany);

2. Finding that said Lina Weber is the owner of the property described in subparagraph 3 hereof;

3. Finding that the property described as follows:

All right, title, interest, estate and claim of any name or nature whatsoever, of Lina Weber, in and to any and all obligations, contingent or otherwise and whether or not matured,

a. Which are secured by a second mortgage on the real property located at 172 Clinton Avenue, City of New Rochelle, County of Westchester and State of New York, recorded in the Office of the Register for the County of Westchester, New York on June 22, 1928 in Liber 2860 of Mortgages, page 402, and

b. Which are owing to her by Sophie Meyer, 525 88th Street, Brooklyn, New York,

and including but not limited to all security rights in and to any and all collateral (including the aforesaid mortgage) for any or all such obligations and right to enforce and collect such obligations, and the right to the possession of all notes, bonds and other instruments evidencing such obligations,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

4. Determining that the property described in subparagraph 3-b hereof is necessary for the maintenance or safeguarding of other property (namely, that hereinbefore described in subparagraph 3-a) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to Section 2 of said Executive Order;

5. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Germany);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on April 20, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-9207; Filed, June 7, 1943;
12:05 p. m.]

[Vesting Order 1413]

SAM ROSCA AND EVA ROSCA

Re: Interest in real property and bank account, owned by Sam Rosca and Eva Rosca.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended,

and pursuant to law, the undersigned, after investigation:

1. Finding that Sam Rosca and Eva Rosca are citizens of Rumania, whose last known addresses are Fagaras, Rumania, and are nationals of a designated enemy country (Rumania);

2. Finding that said Sam Rosca and Eva Rosca are the owners of the property described in subparagraph 3 hereof;

3. Finding that the property described as follows:

a. All right, title, interest and estate, both legal and equitable, of Sam Rosca and Eva Rosca, and each of them, in and to an undivided one-half interest in the real property situated at 2119 and 2123 Milton Street, S. E., Warren, Trumbull County, Ohio, particularly described as Lot Number Eighteen (18) in The Weir-Marshall Realty Company's Plat in said City, a record of said plat being found in Vol. 10 at page 3 of the records of Maps and Plats of said County, together with all the fixtures, improvements and appurtenances thereto, and any and all claims of Sam Rosca and Eva Rosca, and each of them, for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. All right, title, interest and claim of any name or nature whatsoever of Sam Rosca and Eva Rosca, and each of them, in and to all obligations, contingent or otherwise and whether or not matured, owing to them, or either of them, by the Second National Bank of Warren, Ohio, including but not limited to all security rights in and to any and all collateral for any or all such obligations and the right to enforce and collect such obligations, and including particularly the bank account #49971 in the said bank which is due and owing to, and held for them, in the name of George and Mary Gabor, attorneys in fact for Sam and Eva Rosca,

is property within the United States owned or controlled by nationals of a designated enemy country (Rumania);

4. Determining that the property described in subparagraph 3-b hereof is necessary for the maintenance or safeguarding of other property (namely, that hereinbefore described in subparagraph 3-a) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to Section 2 of said Executive Order;

5. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Rumania);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States; (ii) undertakes the direction, management, supervision and control of the real property described in subparagraph 3-a hereof, being the entire piece or parcel [referred to as Lot Number (18)] and particularly described in said subparagraph, a one-half interest in which is vested by this Order.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts,

pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, or to vary the extent of such direction, management, supervision or control or to terminate the same, if and when it should be determined that any of such action should be taken.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on May 6, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-9208; Filed, June 7, 1943;
12:06 p. m.]

[Vesting Order 1414]

FRED MEYER and MARIE MEYER

Re: Two first mortgages and a claim owned by Fred Meyer and Marie Meyer.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Fred Meyer and Marie Meyer, his wife, are citizens of Germany, whose last known address is Neuenwalde 61, Kreis Lehe, Hanover, Germany, and are nationals of a designated enemy country (Germany);

2. Finding that said Fred Meyer and Marie Meyer are the owners of the property described in subparagraph 3 hereof;

3. Finding that the property described as follows:

a. All right, title and interest of Fred Meyer and Marie Meyer, his wife, and each of them, as joint tenants, in and to any and all obligations, contingent or otherwise, and whether or not matured,

(i) Which are secured by a first mortgage, recorded in the Office of the Register of the County of Queens, State of New York, in Liber 2725 of Mortgages, page 469, and assigned to Fred Meyer and Marie Meyer, his wife, as joint tenants, by assignment recorded in the Office of the Register of the County of Queens, State of New York, in Liber 4086 of Mortgages, page 367,

(ii) Which are secured by a first mortgage, recorded in the Office of the Register of the County of Kings, State of New York, in Liber 7462 of Mortgages, page 281, and assigned to Fred Meyer and Marie Meyer, his wife, as joint tenants, by assignment recorded in the Office of the Register of the County of Kings, State of New York, in Liber 7881 of Mortgages, page 436,

including but not limited to all security rights in and to any and all collateral for any or all such obligations, and the rights to en-

force and collect such obligations and the right to the possession of all notes, bonds or other instruments evidencing such obligations;

b. All right, title, interest and claim of any name or nature whatsoever, of Fred Meyer and Marie Meyer, his wife, and each of them, in and to any and all obligations contingent or otherwise and whether or not matured, owing to them and each of them, by Richter & Kaiser, Inc., particularly the sum or sums represented on the books of Richter & Kaiser, Inc., as a credit due Fred Meyer and Marie Meyer, his wife, including but not limited to all security rights in and to any and all collateral, for any or all of such obligations and the right to enforce and collect such obligations,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

4. Determining that the property described in subparagraph 3-b hereof is necessary for the maintenance or safeguarding of other property (namely, that hereinbefore described in subparagraph 3-a) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to Section 2 of said Executive Order;

5. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., May 6, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-9209; Filed, June 7, 1943;
12:06 p. m.]

[Vesting Order 1447]

ERNEST O. AZZI

Re: Real property, bank account and account payable owned by Ernest O. Azzi.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Ernest O. Azzi is a resident of Italy, whose last known address is Cardoso, Italy, and is a national of a designated enemy country (Italy);

2. Finding that said Ernest O. Azzi is the owner of the property described in subparagraph 3 hereof;

3. Finding that the property described as follows:

a. All right, title, interest and estate, both legal and equitable, of Ernest O. Azzi, in and to that certain real property located at 417 West Main Avenue, Spokane, Washington, and particularly described as the West Twenty (20) feet of Lot Three (3) in Block Sixteen (16) of the Resurvey and Addition to Spokane Falls (now Spokane) according to the recorded plat thereof, in Spokane County, Washington, together with all fixtures, improvements and appurtenances thereto, and any and all claims of Ernest O. Azzi for rents, refunds, benefits or other payments arising from the ownership of such property,

b. All right, title, interest and claim, of any name or nature whatsoever of Ernest O. Azzi, in and to any and all obligations, contingent or otherwise and whether or not matured, owing to him by Spokane & Eastern Division of the Seattle First National Bank in Spokane, Washington, including but not limited to all security rights in and to any and all collateral for any and all such obligations and the right to enforce and collect such obligations, and including particularly the bank account in the Spokane & Eastern Division of the Seattle First National Bank in Spokane, Washington, which bank account is due and owing to, and held for, Ernest O. Azzi in the name of E. O. Azzi, and

c. All right, title, interest and claim, of any name or nature whatsoever, of Ernest O. Azzi, in and to any and all obligations, contingent or otherwise and whether or not matured, owing to Ernest O. Azzi by Arthur D. Jones & Co., W. 918 Riverside Avenue, Spokane, Washington, and represented on the books of Arthur D. Jones & Co., as an Account Payable, and including but not limited to all security rights in and to any and all collateral, for any and all such obligations and the right to sue for and collect such obligations,

is property within the United States owned or controlled by a national of a designated enemy country (Italy);

4. Determining that the property described in subparagraphs 3-b and 3-c hereof is necessary for the maintenance or safeguarding of other property (namely, that hereinbefore described in subparagraph 3-a) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to Section 2 of said Executive Order;

5. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Italy);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subpar-

agraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on May 11, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-9210; Filed, June 7, 1943;
12:06 p. m.]

[Vesting Order 1492]

HUGO STOLTZENBERG AND FELICITAS FELTEN

Re: Real property owned by, and property held in trust for, Hugo Stoltzenberg and Felicitas Felten.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Hugo Stoltzenberg and Felicitas Felten are citizens and residents of Germany, whose last known addresses are Moenckebergstr 19, Hamburg, Germany, and St. Peter, Germany, respectively, and are nationals of a designated enemy country (Germany);

2. Finding that Hugo Stoltzenberg and Felicitas Felten own the real property described in subparagraph 4-a hereof, and that each of them has an undivided one-half interest in the trust property described in subparagraph 4-b hereof;

3. Finding that the properties, hereinafter described in subparagraph 4-b and 4-c are subject to a revocable trust agreement dated January 14, 1938, made by and between Hugo Stoltzenberg and Felicitas Felten as grantors and Arthur P. Teele and Frederick O. Trump as trustees for the benefit of Hugo Stoltzenberg and Felicitas Felten;

4. Finding that the property described as follows:

a. All right, title, interest and estate, both legal and equitable, of Hugo Stoltzenberg and Felicitas Felten in and to the real property situated in Sonoma County, California, particularly described in Exhibit "A", attached hereto and made a part hereof, to-

gether with all fixtures, improvements and appurtenances thereto, and any and all claims of Hugo Stoltzenberg and Felicitas Felten, and each of them, for rents, refunds, benefits or other payments arising from the ownership of such property,

b. All right, title, interest and estate, both legal and equitable, of Hugo Stoltzenberg and Felicitas Felten in and to the real property situated at 181-199 First Street, East Cambridge, Massachusetts, particularly described in Exhibit "B", attached hereto and by reference made a part hereof, together with all the fixtures, improvements and appurtenances thereto, and any and all claims of Hugo Stoltzenberg and Felicitas Felten, and each of them, for rents, refunds, benefits or other payments arising from the ownership of such property,

c. All right, title, interest, estate and claim, of any name or nature whatsoever, of Hugo Stoltzenberg and Felicitas Felten in and to any and all obligations, contingent or otherwise and whether or not matured, which are secured by a first mortgage recorded in the Middlesex South District Registry of Deeds, Cambridge, Massachusetts in Book 6032, Page 314, on the lot and improvements owned by Arthur H. Brown and located at 200 First Street, Cambridge, Massachusetts, including but not limited to all security rights in and to any and all collateral (including the aforesaid first mortgage) for any and all of such obligations and the right to enforce and collect such obligations, and the right to the possession of any bonds, notes, and/or other instruments evidencing such obligations,

d. All right, title, interest and estate, both legal and equitable, of Hugo Stoltzenberg and Felicitas Felten, and each of them, arising under the trust agreement referred to in subparagraph 3 hereof,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

5. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 4, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained

shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on May 17, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Those certain lots, pieces or parcels of land situated in the County of Sonoma, State of California, and more particularly described as follows, to-wit:

Lots Two (2), Six (6), Seven (7), Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14) and Fifteen (15), all in Section Thirty-three (33), Township Eight (8) North Range Eleven (11) West of Mount Diablo Base and Meridian, containing three hundred seventy-nine (379) acres of land according to the United States Government Survey, be the same, more or less.

EXHIBIT B

Two parcels of land with the buildings thereon situated in Cambridge in said County in that part thereof known as East Cambridge, so-called, viz: The first parcel is shown as Lot D on a plan of land in Cambridgeport belonging to Henry M. Whitney by W. A. Mason & Son, Surveyors dated July 31, 1906 and recorded with Middlesex South District Deeds in Plan Book 162, Plan 15 and bounded according to said Plan as follows:

Northwesterly by Second Street, 200 feet; Northeasterly by Binney Street, 400 feet; Southeasterly by First Street, 200 feet, and Southwesterly by Munroe St., 399.56 ft; containing according to said Plan 79,956 square feet, excepting from the above described parcel so much thereof as was taken by the City of Cambridge for the widening of said Munroe Street as shown on a plan of said taking filed with said Deeds in Plan Book 348, Plan 32.

The second parcel consists of the Lot marked "A. Sommer", Lot C and a part of Lot B on said plan and bounded as follows:

On the Northwest by First Street, there measuring 167.82 feet, on the northeast by Binney Street there measuring 222.81 feet, on the southeast by Commercial Street, there measuring 128.20 feet, and on the southwest by the extension of Munroe Street, by a curved line measuring 178.20 feet, be all said measurements more or less, and containing approximately 28,000 square feet, together with a license for a spur track issued to the grantors by the City of Cambridge.

[F. R. Doc. 43-9211; Filed, June 7, 1943; 12:05 p. m.]

[Vesting Order 1504]

GEORGE D. BUCKING AND MATILDA A.
BUCKING

Re: Real property, bank accounts, claim, and insurance policies owned by George D. Bucking and Matilda A. Bucking.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that George D. Bucking, also known as Georg Bucking, and Matilda A. Bucking are residents of Germany, whose last known addresses are 39 Hindenberg

Strasse, Asfeld, Hesse, Germany, and are nationals of a designated enemy country (Germany);

2. Finding that George D. Bucking, also known as Georg Bucking, and Matilda A. Bucking are the owners of the property described in subparagraph 3 hereof;

3. Finding that the property described as follows:

a. All right, title, interest and estate both legal and equitable, of George D. Bucking, also known as Georg Bucking, and Matilda A. Bucking, and each of them, in and to each and all of the following parcels of real property, together with all fixtures, improvements and appurtenances thereto, and any and all claims of George D. Bucking and Matilda A. Bucking, and each of them, for rents, refunds, benefits or other payments arising from the ownership of such property:

(i) That certain real property situated at 568 9th Avenue, New York, New York, particularly described in Exhibit A attached hereto and by reference made a part hereof,

(ii) That certain real property situated at 570 9th Avenue, New York, New York, particularly described in Exhibit B attached hereto and by reference made a part hereof, and

(iii) That certain real property situated at 335 West 41st Street, New York, New York, particularly described in Exhibit C attached hereto and by reference made a part hereof.

b. All right, title, interest and claim of any name or nature whatsoever of George D. Bucking and Matilda A. Bucking, and each of them, in and to any and all obligations, contingent or otherwise and whether or not matured, owing to them, or either of them, by the New York Savings Bank, New York, New York, particularly two bank accounts in said bank in the names of Louis Schrag in trust for George D. Bucking, and Louis Schrag in trust for Matilda A. Bucking, which are due and owing to, and held for, George D. Bucking and Matilda A. Bucking, respectively, including but not limited to all security rights in and to any and all collateral for any and all such obligations, and the right to sue for and collect such obligations,

c. All right, title, interest and claim of any name or nature whatsoever of George D. Bucking and Matilda A. Bucking, and each of them, in and to any and all obligations, contingent or otherwise and whether or not matured, owing to them, or either of them, by the Union Dime Savings Bank, New York, New York, particularly two bank accounts in said bank in the names of Louis Schrag in trust for George D. Bucking, and Louis Schrag in trust for Matilda A. Bucking, which are due and owing to, and held for, George D. Bucking and Matilda A. Bucking, respectively, including but not limited to all security rights in and to any and all collateral for any and all such obligations, and the right to sue for and collect such obligations,

d. All right, title, interest and claim of any name or nature whatsoever of George D. Bucking and Matilda A. Bucking, in and to all obligations, contingent or otherwise and whether or not matured, owing to them, or either of them, by Louis Schrag, Inc., 132 West 23rd Street, New York, New York, and represented on the books of Louis Schrag Inc. as a balance due George D. and Matilda A. Bucking, including but not limited to all security rights in and to any and all collateral for any and all such obligations, and the right to sue for and collect such obligations, and

e. All right, title, interest and claim of George D. Bucking and Matilda A. Bucking, and each of them, in and to certain insurance policies, particularly described in Exhibit D attached hereto and by reference made a part hereof, covering the real property owned by George D. Bucking and Ma-

tilda A. Bucking, described in subparagraph 3-a hereof,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

4. Determining that the property described in subparagraphs 3-b, 3-c, 3-d and 3-e hereof is necessary for the maintenance or safeguarding of other property (namely, that hereinbefore described in subparagraph 3-a) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to Section 2 of said Executive Order;

5. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on May 21, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

REAL PROPERTY LOCATED AT 568 9TH AVENUE, NEW YORK CITY, OWNED BY GEORGE D. AND MATILDA A. BUCKING

All that certain lot, piece or parcel of land with the building thereon situate, lying and being in the 22nd Ward of the Borough of Manhattan, City of New York, bounded and described as follows:

Beginning at a point on the Easterly side of the Ninth Avenue distant fifty nine feet and five inches Northerly from the Northeasterly corner of the Ninth Avenue and Forty first Street, running thence Easterly parallel with

Forty first Street part of the way through a party wall Seventy five feet, thence Northerly parallel with Ninth Avenue nineteen feet and eight inches, thence Westerly parallel with Forty first Street part of the way through a party wall Seventy five feet to the Easterly side of Ninth Avenue and thence Southerly along said Easterly side of Ninth Avenue nineteen feet-eight inches to the place of beginning.

EXHIBIT B

RE: REAL PROPERTY LOCATED AT 570 9TH AVENUE, NEW YORK CITY, OWNED BY GEORGE D. AND MATILDA A. BUCKING

All that certain lot, piece or parcel of land with the building thereon situate, lying and being in the 22nd Ward of the Borough of Manhattan, City of New York, bounded and described as follows:

Beginning at a point on the Easterly side of the Ninth Avenue distant Seventy nine feet and one inch Northerly from the North-easterly Corner of Forty first Street and the Ninth Avenue; running thence Easterly parallel with Forty first Street part of the way through a party wall Seventy five feet; thence Northerly parallel with Ninth Avenue nineteen feet and eight inches; thence Westerly parallel with Forty first Street part of the

way through a party wall, Seventy five feet to the Easterly side of the Ninth Avenue, and thence Southerly along the Easterly side of the Ninth Avenue Nineteen feet eight inches to the point or place of beginning.

EXHIBIT C

RE: REAL PROPERTY LOCATED AT 355 WEST 41ST STREET, NEW YORK CITY, OWNED BY GEORGE D. AND MATILDA A. BUCKING

All that certain lot, piece or parcel of land with the buildings thereon situate, lying and being in the 22nd Ward of the Borough of Manhattan, City of New York, bounded and described as follows:

Beginning at a point on the Northerly side of Forty first Street distant Seventy five feet Easterly from the North Easterly Corner of the Ninth Avenue and Forty first Street, running thence Northerly parallel with Ninth Avenue Ninety eight feet and nine inches, thence Easterly and parallel with Forty first Street twenty five feet, thence Southerly and again parallel with Ninth Avenue Ninety eight feet and nine inches to the Northerly side of Forty first Street, thence Westerly along said Northerly side of Forty first Street twenty five feet to the point or place of beginning.

EXHIBIT D

RE: INSURANCE POLICIES ON REAL PROPERTY OWNED BY GEORGE D. AND MATILDA A. BUCKING

Property	Policy Nos.	Company	Amount	Kind	Expiration
355 W. 41st St.	3510144	Great American Ins. Co.	\$20,000	Fire	11-11-45
	LG-64263	Commercial Casualty Co.	20/40,000	Liability	3-4-44
	C-76217	Commercial Casualty Co.	1,500	Compensation	5-18-43
	PG-38122	Commercial Casualty Co.		Plate Glass	6-3-43
	761598 ¹	Niagara Fire Ins. Co.	2,075	Rent	10-30-43
568 9th Ave	276-54-4613	Great American Ins. Co.	20,000	War Damage	7-3-43
	3009054	Great American Ins. Co.	16,000	Fire	11-11-45
	276-54-3165	Great American Ins. Co.	16,000	War Damage	7-3-43
	LG-64116	Commercial Casualty	20/40,000	Liability	12-9-43
	761598 ¹	Niagara Fire Ins. Co.	2,010	Rent	10-30-43
570 9th Ave	3009862	Great American Ins. Co.	14,000	Fire	11-11-45
	LG-258944	Royal Indemnity Ins. Co.	20/40,000	Liability	1-7-44
	761598 ¹	Niagara Fire Ins. Co.	1,350	Rent	10-30-43
	276-54-3048	Great American Ins. Co.	14,000	War Damage	7-3-43

¹ All coverage in rent insurance is in one policy, No. 761598.

[F. R. Doc. 43-9212; Filed, June 7, 1943; 12:05 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[Amendment 6 to Order A-1 Under MPR 188]

CAST STEEL, FORGED STEEL AND STEEL PLATE FLANGES

Amendment No. 6 to Order No. A-1 under § 1499.159b of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

An opinion accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Paragraph (a) (7) is added to read as follows:

(7) *Modification of maximum prices of cast steel flanges, forged steel flanges and flanges made from steel plate*—(i) *Scope of this amendment.* This subparagraph (7) sets maximum prices for sales and deliveries of cast steel flanges, forged steel flanges and flanges made from steel plate only where the following conditions are met:

(a) Sales and deliveries must be made for the ultimate use of the United States Government or any agency thereof;

(b) Sales and deliveries must be made prior to August 31, 1943;

(c) Sales and deliveries must be made by persons who did not engage in the manufacture of cast steel flanges, forged steel flanges and flanges made from steel plate prior to January 1, 1943;

(d) Sales and deliveries must be made by persons who actually subcontract one or more of the following operations required to produce a complete cast steel flange, forged steel flange or a flange made from steel plate: (1) casting, (2) forging, (3) cutting, (4) machining, (5) drilling, and (6) spot facing;

Sales and deliveries of cast steel flanges, forged steel flanges and flanges made from steel plate for the ultimate use of the United States Government or any agency thereof subsequent to August 31, 1943, or sales and deliveries of such flanges made for civilian use or consumption at any time are subject to other provisions of Maximum Price Regulation No. 188.

Any person who meets the conditions outlined under subsection (i) (a), (b) and (c) but who actually performs all the operations of producing a complete cast steel flange, forged steel flange or a flange made of steel plate in his own establishment, is not governed by this

subparagraph (7) but is to comply with the pricing provisions of §§ 1499.153 and 1499.154 of Maximum Price Regulation No. 188.

For the purpose of this subparagraph (7) the term "cast steel flanges, forged steel flanges and flanges made from steel plate" means rim or ring type pipe fittings made of such materials which are to be applied to the ends of pipes for the purpose of joining such pipes or other components of a pipe line to each other by means of bolts.

(ii) *Maximum prices.* The maximum prices for persons selling and delivering flanges covered by this subparagraph (7) shall not be more than the total of the actual cost of manufacturing such flanges, plus a mark-up over such cost of 11%.

For the purpose of this subparagraph (7) the term "actual cost of manufacturing" means the total of the following:

(a) The cost of the rough flange (figured at a price not higher than the maximum price permitted by Maximum Price Regulation No. 351 in the case of a forged flange or not higher than the maximum price permitted by Revised Price Schedule No. 41 in the case of a cast flange or not higher than the maximum price permitted by Order No. 61 under § 1499.3 (b) of the General Maximum Price Regulation in the case of a flange made of steel plate).

(b) Cost of machining and drilling the rough flange (figured at a price not higher than the maximum price permitted by the General Maximum Price Regulation).

(c) Cost of spot facing the rough flange, if required (figured at a price not higher than the maximum price permitted by the General Maximum Price Regulation).

(d) Actual transportation charges, if any, paid by the seller to obtain delivery of a flange from the foundry or machine shop to the seller's place of business.

The sales made under the authority of this subparagraph (7) shall be f. o. b. seller's warehouse.

(iii) *Notification of purchasers of existence of this subparagraph (7).* All persons selling flanges under the authority of this subparagraph (7) shall insert on each invoice covering each sale made thereunder a statement substantially as follows:

The Office of Price Administration has permitted us to manufacture and sell cast steel flanges, forged steel flanges, or flanges made from steel plate at maximum prices as established under Amendment No. 6 to Order No. A-1 of Maximum Price Regulation No. 188.

This is to certify that the maximum prices of the flanges covered by this invoice have been properly established in accordance with that amendment.

(iv) *Records.* Every person selling flanges under the authority of this subparagraph shall have available for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, a record of each sale made under this subparagraph (7) showing the date of the sale, the name and address of the purchaser, the contract or subcontract number, the quantity sold

the computations showing how the total cost of manufacturing each flange was determined, and the sale price of each flange.

(v) *Reports.* All persons making sales subject to the provisions of this subparagraph (7) shall submit such reports as the Office of Price Administration may at any time request, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(vi) *Definitions generally.* Unless the context requires otherwise, the definitions set forth in § 1499.163 of Maximum Price Regulation No. 188 shall apply to the terms used herein.

This Amendment No. 6 shall become effective June 8, 1943, and shall terminate on the 31st day of August 1943, unless otherwise extended by amendment.

NOTE: The reporting provisions of this amendment has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 7th day of June 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-9218; Filed, June 7, 1943;
4:56 p. m.]

No. 113—15

WAR PRODUCTION BOARD.

[Amdt. 3 to Revocation of Preference Rating
Order P-19-e Serial No. 22746-E]

NEW LONDON—GROTON BRIDGE PROJECT, CONN.

Builder: Connecticut State Highway Department, Hartford, Connecticut.
Project: New London-Groton Bridge and Approaches.

Amendment No. 2 dated December 22, 1942 to the Revocation of Preference Rating Order P-19-e, Serial No. 22746E is hereby revoked.

Paragraph (3) of the said revocation is hereby amended by adding at the end of such paragraph the following sentence:

Notwithstanding the provisions of this paragraph, the builder may complete construction of the concrete surfacing and riveting on the main structure of the New London-Groton Bridge, the cleaning of the shoulders of excess material, the building of the guard railing, the completion of toll booths and administration building, the installation of navigation lights on the Bridge and the installation of wire rope, the value of which is estimated at \$383.00

This amendment shall not be construed to modify in any way any provision of such Revocation other than said paragraph (3).

Issued June 7, 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-9228; Filed, June 7, 1943;
5:06 p. m.]

[Certificate 76]

MARKETING OF PETROLEUM

The ATTORNEY GENERAL:

I submit herewith Petroleum Directive 68¹ of the Office of Petroleum Administration for War.

For the purposes of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I approve the directive; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with Petroleum Directive 68 is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

JUNE 3, 1943.

[F. R. Doc. 43-9279; Filed, June 8, 1943;
11:24 a. m.]

¹ *Supra.*

